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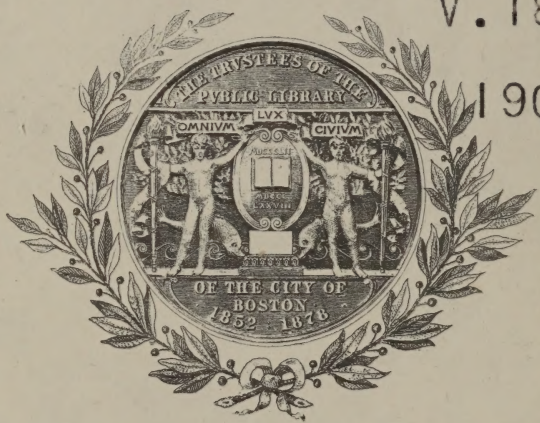

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JANUARY 1909

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THE NORTH AMERICAN REVIEW PUBLISHING COMPANY
FRANKLIN SQUARE, NEW YORK

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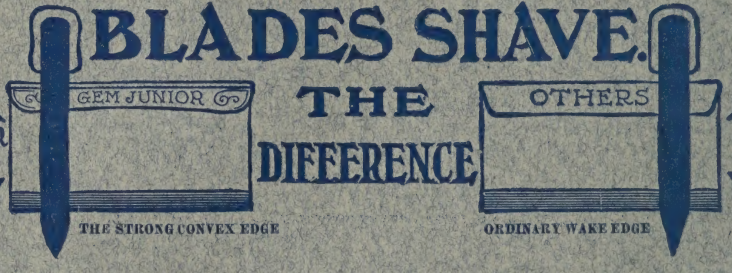

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January, 1909.

SPECIAL ARTICLES

The Solid South a National Calamity . . HANNIS TAYLOR
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The Future of American Art . . . . . BIRGE HARRISON
Progress of Campaign-Fund Publicity . . PERRY BELMONT
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Canadian Manufacturers and British Preference, EDWARD PORRITT
Invalidity of the Fifteenth Amendment . . M. F. MORRIS
The Smithsonian Institution . . Dr. C. M. BLACKFORD, Jr.
Our First National Penal Code, Senator GEORGE SUTHERLAND
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THE EDITOR'S DIARY

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CONTRIBUTORS TO THIS NUMBER.

HANNIS TAYLOR,

who is recognized throughout the world as one of the most eminent living authorities on constitutional history and constitutional law, was born in New Berne, North Carolina, in 1851. Having graduated at the University of his native State, he was admitted to the bar, and achieved great distinction in the practice of his profession. He was appointed Minister to Spain by President Cleveland in 1893. The wide literary fame gained for Mr. Taylor by his great work on "The Origin and Growth of the English Constitution" was materially enhanced by his treatise on "International Public Law," which has been declared by a high authority to be "the most exhaustive work of its kind issued in this country since Dana's Wheaton." In recognition of the service which he had rendered to literature and learning by the publication of these works, the Universities of Dublin and Edinburgh simultaneously conferred upon Dr. Taylor the honorary degree of LL.D. He recently published a third treatise, of a like scholarly and comprehensive character, on the "Jurisdiction and Procedure of the United States Supreme Court," upon which the Justices of that court have put the imprimatur of their high approval and commendation. Mr. Taylor represented the United States before the Alaskan Boundary Commission. A new work from Dr. Taylor's pen, entitled "The Science of Jurisprudence," has just been announced—a systematic, comparative study of Roman and English law.

THE DUCHESS OF MARLBOROUGH

is one of the most prominent of the American ladies who have taken a commanding position in English society. She

is deeply and actively interested in the affairs of her adopted country.

BIRGE HARRISON,

the well-known painter, was born in Philadelphia in 1854. He studied under Cabanel in Paris. From 1889 to 1893, he painted in Australia, the South Seas and the western regions of the United States. Mr. Harrison is a landscapist, known most widely as a painter of snow, and he is represented by paintings in public collections on both sides of the Atlantic. He is a director of the Landscape School in the Art Students' League of New York.

PERRY BELMONT

graduated from Harvard in 1872, and from the Columbia Law School in 1876. He practised law for several years, and in 1880 he was sent to the House of Representatives, in which he retained his seat till 1887. From 1885 to 1887, he was Chairman of the Committee on Foreign Affairs. On leaving Congress, Mr. Belmont was appointed United States Minister to Spain. He takes a very active interest in politics.

REAR-ADMIRAL GEORGE W. MELVILLE, U. S. N.,

stands high among the eminent men who, by their deeds and achievements, have brought great honor upon the American Navy and the American name. In 1861, he entered the navy as an assistant engineer, with the rank of midshipman. After passing through all intermediate grades, he was made Engineer-in-Chief of the United States Navy in 1887, with the rank of Commodore, and he was promoted to be Rear-Admiral in 1899. As Engineer-in-Chief, he has contributed largely to the building up of the new navy, designs having been made, during his term, for over 120 ships and 700,000 horse-power. Admiral Melville has made three voyages to the Arctic seas, and his name will always have an illustrious place in the heroic history of the effort to reach the North Pole. In 1890, he was voted a gold medal and advanced fifteen numbers by special act of Congress, for bravery in the Arctic.

FLORENCE V. KEYS,

Associate Professor of English in Vassar College, is a native of Toronto, Canada. She attended school in Germany, Switzerland and France, and graduated at the University of Toronto in 1891. In 1891 she was made a Fellow in Greek

in Bryn Mawr College, a Fellow in English in 1892, and she was a Reader in English from 1893 to 1897. In 1897, 1898, and 1905 she studied in English and Continental Universities.

BRITANNICUS

is a well-known English writer, who for many years has made a close and comprehensive study of international politics, and of the questions which arise out of, or affect, the relations between the great European Powers.

EDWARD PORRITT

is a native of Bury, in Lancashire, England. For several years he was connected with a number of English papers. In 1884, he came to the United States and joined the staff of the "St. Louis Globe-Democrat." Returning to England, he was employed for some time as a parliamentary reporter. He now resides in the United States as correspondent for important British newspapers. He is the author of "The Englishman at Home" and "The History of the Unreformed House of Commons."

M. F. MORRIS,

former Associate Justice of the Court of Appeals of the District of Columbia, was born in Washington in 1834. In 1854 he graduated from Georgetown University and was admitted to the bar. For a number of years he practised law in Baltimore and Washington, and in 1893 he was appointed the first Associate Justice of the Court of Appeals of the District of Columbia, a post from which he retired in 1905. He is the author of a scholarly work entitled "Lectures on the History of the Development of Constitutional and Civil Liberty."

DR. C. M. BLACKFORD, JR.,

is a native of Virginia, and received his preliminary education at the Episcopal High School of Virginia. He graduated from the University of Virginia with the degree of Doctor of Medicine, in 1888, and obtained the same degree in the following year from the College of Physicians and Surgeons of New York. After a course of study in Vienna he began the practice of his profession, but soon withdrew from it to devote himself to biological investigation.

GEORGE SUTHERLAND,

United States Senator from Utah, is a native of England, and was educated in schools and academies in Utah. He

studied in the Law Department of the University of Michigan, and was admitted to the Bar in 1883. He was a member of the first State Legislature, and he represented Utah in Congress from 1901 to 1903.

SYDNEY BROOKS

is an English journalist who has already contributed a number of articles to the REVIEW on a variety of subjects. He visited Ireland last year, and spent a number of months in observing on the spot existing conditions in that country.

AGNES LEE

was educated in Switzerland, though she was born in Chicago. She has translated the poems of Theophile Gautier into English verse and published poems from her own pen, several of them in the pages of the REVIEW.

EDITH BAKER BROWN

is a graduate of Smith College, who has contributed occasionally to critical periodicals.

BRIAN HOOKER,

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THE SOLID SOUTH A NATIONAL CALAMITY.

BY HANNIS TAYLOR, FORMERLY UNITED STATES MINISTER TO SPAIN.

Of the Electoral votes of 1904, President Roosevelt received 336, the Hon. Alton B. Parker 140. The latter total was made up as follows: Alabama, 11; Arkansas, 9; Florida, 5; Georgia, 13; Kentucky, 13; Louisiana, 9; Maryland, 7; Mississippi, 10; North Carolina, 12; South Carolina, 9; Tennessee, 12; Texas, 18; Virginia, 12. Eleven of those thirteen States had constituted the Southern Confederacy, while the other two were closely affiliated with it. Of the Electoral votes of 1908, the Hon. William H. Taft received 321, and the Hon. William J. Bryan 160. The latter total was made up as follows: Alabama, 11; Arkansas, 9; Colorado, 3; Florida, 5; Georgia, 13; Kentucky, 13; Louisiana, 9; Maryland, 6; Mississippi, 10; Nebraska, 8; Nevada, 3; North Carolina, 12; Oklahoma, 7; South Carolina, 9; Tennessee, 12; Texas, 18; Virginia, 12. Thus the history of the Electoral battle of 1904 repeated itself, with the addition to the political power of the Solid South of the new and relatively unimportant States of Colorado, Nebraska, Nevada and Oklahoma. And so in the last two Presidential contests the organized political power of the South, with little or no help from without, dashed itself hopelessly against the organized political power of the rest of the

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Union. When contrasted as to population and wealth, the relative strength of the combatants in the last battle stood as follows: The total population, according to the census of 1900, of the States which cast their Electoral votes for Mr. Bryan is 24,060,538; their total wealth, $15,163,645,550. The total population of the States which cast their Electoral votes for Mr. Taft is 50,945,017; their total wealth, $71,545,347,892. Intrenched behind such a victory, with such an aggregate of population and wealth supporting him, is it at all likely that a statesman as able, as experienced, as patriotic, as human as Mr. Taft can be dislodged in the next eight years? When the end of that period arrives, what will it profit the South to invite some new political chieftain from the North or West to lead her, as a sectional organization, to inevitable disaster in a fresh conflict involving national issues that are not sectional.

Of the fifteen Presidents elected prior to 1861 the South furnished nine; of the fourteen Vice-Presidents elected prior to that time, the South furnished six. Since John C. Breckenridge took his seat as Vice-President, March 4, 1857, no Southern man has been elected President or Vice-President of the United States. Nay, more, within that period of fifty years, no Southern man has ever been nominated, seriously, for either office. As all the world knows, in the last two contests, in which the South furnished substantially all of the Electoral votes, neither of the nominating Conventions would have dared to name any Southern man, however able or distinguished, even for the second place. Since the end of the Civil War the fact has been universally recognized that, from the standpoint of practical politics, Southern statesmen are not eligible as candidates for the highest offices within the gift of the American people. Is it to the interest of the South to be thus excluded for all time from the Union, so far as the highest political honors are concerned; is it to the interest of the South, in contesting issues purely national, to be chained, as a sectional organization, within lines that mean inevitable political disaster? Certainly, the time has arrived when the South should ascertain whether such a hopeless condition of things is the result of a removable cause.

Those who witnessed the terrors of Reconstruction need not be told why it was that the Southern States drew together as a unit in order to meet a condition that threatened their existence,

when sudden and universal emancipation was followed by sudden and universal enfranchisement. While the future of the South was still overcast by the consequences of a condition that rested like a blight upon every interest, the great and resolute Senator George, of Mississippi, perceived that a constitutional and efficient remedy could be drawn from the reserved powers of the States to regulate the franchise. The system of representative government which England invented and gave to the world rested, at the outset, upon the principle that only the specially qualified few possessed the right to vote. As late as 1832, of the entire population of the British Isles only about 400,000 had the right to vote. Upon the immemorial right of exclusion all of our original State constitutions were founded. Our Federal system adopted as a corner-stone the exclusive right of the State to regulate the franchise. The Fifteenth Amendment, in imposing the single existing limitation on the power of a State to regulate the franchise, only denies to a State the right to take it away "on account of race, color or previous condition of servitude." Such was the power and such the limitation under which Senator George worked while fabricating the new system of Southern constitutions, upon whose luminous wings that section has risen from her ashes and established a material prosperity that has surprised the world. In 1870 the total assessed property of the South was only $3,000,000,000. Now it is over $7,000,000,000, a sum in excess of the total possessed by the rest of the Union in 1860. Of the twelve millions of bales of cotton which she now produces annually, the South is manufacturing nearly two millions and a half of bales on her own soil. The new Southern constitutions have guaranteed a condition of peace and security out of which has grown a prosperity now being enjoyed by both races. These constitutions all provide in some form that those who are deprived of the franchise, by reason of illiteracy or poverty, can gain the right to vote by removing the disability.

Certainly, it is the duty of every Southern State to advance that process by doing all it can to educate the illiterate of both races. The writer refers with pride to the noble efforts that are being made by his own State to educate her negro population. Everybody has heard of the famous school at Tuskegee, founded by the legislature of Alabama, under an act

passed in 1880 to establish a normal school for colored people, with an annual State endowment of $4,500. That Alabama Normal School has been developed by the genius and character of Booker Washington, backed by the generosity of the good people of the North, into the great power for good it is to-day. In the city of Huntsville may be found the Agricultural and Mechanical College for colored people, to which Alabama is contributing $4,500 annually. In the county of Mobile is to be found a splendid system of public schools, with an average annual enrolment of about 6,000 white, and 4,000 colored, children. If you will examine the sources from which the money comes to support that system, which gives to colored children equal advantages, you will find that all but a small fraction comes from the pockets of white taxpayers, who cheerfully impose the burden on themselves. Is it, therefore, strange that, under such hopeful conditions,—in which the negro population of the South is advancing both in wealth and education,—Presidents McKinley and Roosevelt should have made peace with the South upon the basis of the new constitutions? Never was a hand raised by either against the settlement which they embody. Certainly, for twelve years the record of that settlement has been a sealed book which can never be reopened by anything less than a political revolution. That the North has no inclination whatever in that direction was recently made manifest when, in a Congress overwhelmingly Republican, all efforts to reduce the representation of the South, on the old ground, perished in a temperature below the freezing-point.

On November 7th, Mr. Wyndham R. Meredith, of Richmond, Virginia, made public a letter from President Roosevelt in which he had said: "I do not believe there is a single individual of any consequence who seriously dreams of cutting down Southern representation, and I should have no hesitation in stating anywhere, and at any time, that, as long as the election laws are constitutionally enforced without discrimination as to color, the fear that Southern representation in Congress will be cut down is both idle and absurd." As Mr. Taft was a leading factor in the Administration that thus made peace with the South, upon a basis devised by herself as the best and only one possible, has any one the right to doubt his cordial approval of the existing concordat? Certainly, his recent addresses to the people

of the South indicated an earnest desire upon his part to see that section a part of the Union in the full sense of the term. Since the above was written Mr. Taft, at the banquet given him in New York by the North Carolina Society on December 7, said:

"I believe that the movement away from political solidity has started, and ought to be encouraged, and I think one way to encourage it is to have the South understand that the attitude of the North and the Republican party toward it is not one of hostility or criticism or opposition, political or otherwise; that they believe in the maintenance of the Fifteenth Amendment, but that, as already explained, they do not deem that amendment to be inconsistent with the South's obtaining and maintaining what it regards as its political safety from domination of an ignorant electorate; that the North yearns for closer association with the South; that its citizens deprecate that reserve on the subject of politics which so long has been maintained in the otherwise delightful social relations between Southerners and Northerners as they are more and more frequently thrown together.

"We believe that the solution of the race question in the South is largely a matter of industrial and thorough education. We believe that the best friend that the Southern negro can have is the Southern white man, and that the growing interest which the Southern white man is taking in the development of the negro is one of the most encouraging reasons for believing the problem is capable of solution.

"On the whole, then, the best public opinion of the North and the best public opinion of the South seem to be coming together in respect to all the economic and political questions growing out of present race conditions.

"The recent election has made it probable that I shall become more or less responsible for the policy of the next Presidential Administration, and I improve this opportunity to say that nothing would give me greater pride, because nothing would give me more claim to the gratitude of my fellow citizens, if I could so direct that policy in respect to the Southern States as to convince its intelligent citizens of the desire of the Administration to aid them in working out satisfactorily the serious problems before them, and of bringing them and their Northern fellow citizens closer and closer in sympathy and point of view."

In the light of such cordial and sympathetic assurances from such a man, who can doubt that the South can rely as confidently upon his co-operation in the final solution of the grave problems before her, as she could rely upon the co-operation of any other statesman of any other party who might fill the Presidential office? Here we have the gist of the whole matter. The reason, the motive that prompted the organization of what is known as the Solid South has ceased to exist,—as a sectional political combi-

nation it lost its *raison d'être* with the attainment of the end for which it was designed. The South is now free to work out her destiny and to look out for her real interests, untrammelled by a force that for a long time condemned her to political isolation.

The direct and practical purpose of this article is earnestly to maintain that the time has arrived for the South to end the attitude that isolates her politically from the rest of the Union, for the simple and conclusive reason that that attitude, once vitally necessary, has lost its right to be. The time has arrived for the South to emancipate herself from the deadly one-party system which, while excluding her from political communion with the rest of the Union, at the same time strangles the political genius that was once the basis of her power. The time has arrived when the South must say to both of the great national parties that she is no longer a pocket-borough that belongs to either, but an open and unbiased field in which each, with equal opportunity for success, may struggle for the intellectual mastery of her people. Above all, the time has arrived when every Southern man, without being menaced by the banished spectre of the negro question, must be permitted to be in the South, as is every man in the North, a Democrat or a Republican, according as his real convictions lead him one way or the other.

The immense development of the manufacturing and mining interests of the South has wrought a revolution in her economic conditions,—a revolution that places large sections of her territory in the same boat with Massachusetts and Pennsylvania, so far as tariff legislation is concerned. Twenty years ago, the writer heard an eminent citizen of Philadelphia say at Mobile that the day would come when Alabama iron would undersell that of his State in her own markets. That result has happened already. The day is not far distant when Alabama's Birmingham district will rival that of which Pittsburg is the centre. Let us fancy that, in the near future, struggles over the tariff may force those two great and growing mineral districts to form a political coalition that will nominate Senator Knox, of Pittsburg, for President, and Senator Johnson, of Birmingham, for Vice-President. Would it take long for Northern prejudice against a Southern Vice-President to perish under the magic touch of a mutual interest? All we need is a beginning; at the

first blast, the empty shell of what is still called the Solid South will collapse.

Such a change should have no effect whatever upon the corporate existence of the two great parties upon which, as opposing forces, the health of our political life depends. Every patriotic American, regardless of politics, should rejoice to know that the unity of the Democratic party has been re-established, because without two such organizations representative government cannot go on in the normal way. Seldom in its history has the Democratic party had a more brilliant or persistent leader than the famous tribunitian orator from Nebraska, who wears at his buttonhole the white lily of a spotless life. But it is no more to the interest of Mr. Bryan or Mr. Parker again to lead the Solid South, fringed with a few feeble Western States, to inevitable disaster than it is to the interest of the South to court such disaster.

The Solid South has ceased to be of any value to anybody. The time has arrived when the dullest and most bigoted mind must perceive that political readjustment and realignment are for the South an imperious necessity. The solidity of the South, on sectional lines, is a calamity to the nation as a whole, because it prevents the reincorporation of a section, once in revolt, in such a way as to wipe out the last vestiges of the Civil War. The solidity of the South, on sectional lines, is a calamity to the South herself: first, because it makes political success on that basis impossible; second, because it keeps her in the attitude of a conquered province, so far as the eligibility of her leading statesmen for the supreme offices is concerned; third, because it dwarfs her political genius through abnormal conditions that prevent that kind of competition out of which her great men arose in the past. While the South still has many very able men at Washington, the comment is general that the one-party system is thinning their ranks every year.

The next eight years are to be vitally important in the economic history of the South. Her growing manufactures, her rapidly developing mineral resources, her swelling cotton crop are to be touched at many points not only by the internal legislation that will proceed from Congress, but by that far-reaching foreign policy that is extending our destiny beyond the limits of this hemisphere. The South stands in a special relation to

the territorial expansion that followed the close of the Spanish-American war, and to the commercial expansion that now includes the Antilles and the States of Central and South America. In 1899, the imports from Latin-America were $154,495,834; the exports, $97,391,898,—total, $251,887,732. In 1907 the imports were $316,496,576; the exports $237,840,676,—total, $554,337,-252,—an increase of $302,449,520. No true Southern heart can fail to be gladdened by the sight, at Mobile and New Orleans, of the wharves crowded as they are with steamships, bearing among other things tropical fruits from the lands to the south of us. Often on a busy day the trains necessary at Mobile to transport such products to the West, if placed end to end, would be a mile long. To that growing prosperity by sea the building of the Panama Canal is giving a marked impetus. When, after completion, that vast enterprise shall drop a dollar into the till at Boston, it will drop fifty into the tills at Mobile and New Orleans. When that new waterway is opened up to the Far East for Southern products peculiarly adapted to Oriental markets, the South will enter upon a fresh stage of progress whose possibilities can scarcely be estimated. In 1852, William H. Seward, forecasting, in a speech delivered in the United States Senate, the growing greatness of the Pacific, said: "Henceforth, European commerce, European politics, European thought and European activity, although actually gaining force, and European connections, although actually becoming more intimate, will, nevertheless, relatively sink in importance; while the Pacific Ocean, its shores, its islands and the vast region beyond will become the chief theatre of events in the world's great hereafter." With that "great hereafter,"—interlaced, as it now is, with the Panama Canal, the Philippine and Hawaiian Islands, and Alaska,—the future of the South is more intimately bound up than that of any other part of the Union. As the visions of her statesmen widen, they will see by the light of self-interest, in the not far-distant future, that the South has a special concern in the possession and development of every island we now possess in the Pacific Ocean. With the possession and development of that Pacific world, including the building of the Panama Canal, the trained statesman who will soon assume the headship of the nation has had a long and honorable connection. As he is specially committed to the advancement of this line of foreign

policy in which the South is vitally concerned, would it not be wisdom upon her part to extend to him her earnest co-operation, apart from and above all partisan considerations? Is it not a good time for the South to make a new departure along the lines of her real interests? If she is ever to regain in this Union the vantage-ground which she occupied at the beginning of our national life, it must be through such a development of her material resources as will multiply her wealth and population.

When, in the Federal Convention of 1787, the struggle over the apportionment of representation was at its height, the larger or national States, with Virginia and South Carolina in the lead, vigorously opposed the equal representation in the Senate of the States as such. Speaking for Virginia, Randolph contended that population should be the sole basis of representation for both chambers; speaking for South Carolina, Butler said: "It was not supposed that North Carolina, South Carolina and Georgia would have more people than all the other States, but many more, relatively to the other States, than they now have. *The people and strength of America are evidently bearing southwardly and southwestwardly.*" Underestimating the dynamic energy of freedom in producing wealth and attracting and retaining population, the South was deluded at the time in question by the belief that swarms of emigrants were about to throng every path to the southwest, bearing with them power and affluence. But population swept on the other way, until the result was that the equal representation of the States in the Senate, which the South had so earnestly opposed, became her last refuge. In the light of that great mistake, the South should now understand that, if swarms of emigrants are to be attracted to the Southwest, laden with power and affluence, all local influences must be removed that forbid the free exercise of political opinion. The man who comes from the West or from New England to Georgia, Alabama or Mississippi must be assured in advance that he may bring with him, free from all social pressure, his political opinions. Why, then, should not the sons of the South, "native and to the manor born," be permitted to enjoy the same privilege.

Excepting only Washington, the South's greatest gift to the Union was John Marshall, of Virginia, out of whose sane and

practical construction of the Constitution has arisen the jurisdiction now exercised by the Supreme Court of the United States. As one of his humblest disciples, the writer has from his youth up firmly rejected as illogical and harmful the opposite system of construction usually associated with the names of Jefferson and Calhoun. The one particular in which the writer has been able cordially to accept the distinctive views of Jefferson is that involved in his patriotic and far-sighted efforts as the founder of our existing system of territorial and commercial expansion. By the Louisiana Purchase—from his point of view an unconstitutional act—he assured our future greatness by doubling our domain; in his famous letter of October 24th, 1823, in which he drafted the so-called "Monroe Doctrine," he said: "I candidly confess that I have ever looked on Cuba as the most interesting addition which could ever be made to our system of States. The control which, with Florida Point, this island would give us over the Gulf of Mexico and the countries *and isthmus* bordering on it, as well as those whose waters flow into it, would fill up the measure of our political well-being."

Among the more thoughtful men of the South, who make a systematic study of the science of government and diplomacy, there is a large and growing body who perfectly understand (1) that John Marshall's rational and practical system of constitutional construction is a necessary element in our national growth; (2) that the Jeffersonian idea of territorial and trade expansion is the key to the South's future development. That large and growing body will not permit itself to be forced much longer to profess allegiance to a set of extinct political theories by the spectre of a danger that has passed away.

HANNIS TAYLOR.

THE POSITION OF WOMAN.—I.

AN HISTORICAL RETROSPECT.

BY THE DUCHESS OF MARLBOROUGH.

BEFORE touching on woman's position as it is at present, or entering into any speculation as to what it may develop into in the future, let us ascertain woman's place in the community at the time when nomadic life formed itself into groups and, with the cementing of family ties, acknowledged woman to be supreme. And then let us follow her through the gradual narrowing and restricting of her sphere to the present day, when woman is at length attempting to re-establish the balance of primitive rights as well as to gain the economic and political equality civilization brings in its wake. Such a brief review will, at all events, make it clear to us that women were not in the first place looked upon as the weaker or more negligible quantity. True, they were not the fighting portion of the race, but they were the organizers, custodians, guardians and householders, transmitters of name and fortune, and, in many cases, electors and lawgivers as well.

Professor Thomas, in his interesting work, "Sex and Society," tells us that "the maternal system of descent is found in all parts of the world where social advance stands at a certain level, and the evidence warrants the assumption that every group which advances to a culture state passes through this stage."

In Australia and Africa, with few exceptions, descent was formerly reckoned in the female line; on the continent of America, in China and Japan traces of this system are found, and in parts of India it is still in full force. Among the American Indian tribes and the aborigines of Australia, missionaries and ethnologists are able to bear witness that "the women were the great power among the clans as everywhere else."

As a natural consequence, laws of rank and property follow the strictest maternal type, and women had in some cases the right to dismiss their husbands, keeping the children to succeed themselves and be members of their own clan.

And, after the establishment of the male system, the women still held property—a survival from maternal times. A form of divorce pronounced by a husband was: "Begone! For I will no longer drive thy flocks to the pasture." Herodotus tells us: "Ask a Lycian who he is, and he will answer by giving his own name, that of his mother and so on in the female line. Moreover, if a free woman marry a man who is a slave, their children are free citizens; but if a free man marry a foreign woman, or cohabit with a concubine, even though he be the first person in the state, the children forfeit all rights of citizenship." "Then again the extraordinary honor, privilege and proprietary rights enjoyed by ancient Egyptian and Babylonian wives are traceable to an earlier maternal organization."

In explaining maternal descent, it has been generally assumed that it was brought about by an uncertainty of parentage; but Dr. Thomas comes to the much more satisfactory conclusion that "it is due to the larger social fact, including this biological one, that the bond between mother and child is the closest in nature, and that the group grew up about the more stationary female; and, consequently, the questions of maternal descent and promiscuity are by no means so inseparable as has been commonly assumed."

So much for women as the transmitters of name and wealth. Their powers of social control are most instructively set forth in Major Powell's account of authority as vested in the Wyandotte tribe of Indians. He says:

"The civil government inheres in a system of councils and chiefs. In each gens there is a council, composed of four women, called 'Yu-wai-yu-wa-na.' These four women councillors select a chief of the gens from its male members—that is, from their brothers and sons. This gentile chief is the head of the gentile council. The council of the tribe is composed of the aggregated gentile councils. The tribal council, therefore, is composed one-fifth of men and four-fifths of women. Further, the four women councillors of the gens are chosen by the heads of households, themselves being women. There is no formal election, but frequent discussion is had over the matter from time to time, in which a sentiment grows up within the gens and throughout the tribe that, in

the event of the death of any councillor, a certain person will take her place. In this manner, there are usually one, two or more potential councillors in each gens, who are expected to attend all the meetings of the council, though they take no part in the deliberations and have no vote. When a woman is installed as a councillor, a feast is prepared by the gens to which she belongs, and to this feast all the members of the tribe are invited. The woman is painted and dressed in her best attire, and the sachem of the tribe places upon her head the gentile chaplet of feathers, and announces in a formal manner to the assembled guests that the woman has been chosen a councillor."

Thus we find that female influence persists as a matter of habit until the conditions of life change from peaceful to warlike, and, greater activity being found necessary, the male influence becomes perforce preponderant.

Professor Thomas's fascinating theory that "the nominal headship of woman, within the maternal group, existed only in default of forms of activity fit to formulate headship among the men, and, when chronic militancy developed an organization among the males, the political influence of the female was completely shattered," brings us to his conclusion "that, at a certain point in history, women became an unfree class, precisely as slaves became an unfree class, because neither class showed a superior fitness on the motor side; and each class is regaining its freedom, because the race is substituting other forms of decision for violence,"—a conclusion which brings us into more or less accord with the means of agitation and the powers of organization the women's freedom leagues are now instituting. Motor force, whether in logical argument or convincing facts, is being amply demonstrated by those ladies who are sacrificing their freedom, time, wealth and enjoyment for a cause in which they have not even the satisfaction of feeling that the whole of womankind upholds them. Women were superseded as lawgivers because the balance of power was transferred to the men, on account of the greater stimulus to activity induced by war. We would therefore look to The Hague Peace Conference to readjust that scale of influence by turning into less militant channels the motor activity which governs the occupations of the race.

Primitive women were, as we have seen, the guardians of their children, the transmitters of name, the custodians of wealth and, in many cases, the electors and lawgivers. As organizers and householders, they reigned supreme, and with them rested

the responsibility of providing food when the hunter was unsuccessful. It was their duty to grow the grain and vegetables and to prepare it for eating. Not only did they cook the products of the chase, but the skin, horns and feet of the animals were theirs to use in various ways. Agriculture and industries were, therefore, started by women and lay in their province—they were in fact the universal providers, and to their organizing and productive powers men trusted absolutely.

Professor Thomas continues his theory in these words:

"Industries, in their very nature, handle and shape stationary stuffs, for the most part, and woman developed the constructive or industrial activities as a simple consequence of her more stationary condition of life. The formation of habit is largely a matter of attention, and the attention of woman being limited by her bodily habit and the presence of children to objects lying closer at hand, her energies found expression in connection with these objects."

Industries, in their primitive form, did not require the attendant concomitant of baby farms and crèches to enable woman to take part in the work nature seemed to have designated as hers.

The outcome of this closer attention of the woman to the industrial life is well seen among the ancient Hebrews, illustrated in Proverbs 31, verses 10-24. Woman had her province and was left its undisputed mistress as long as man had his catabolic energies sufficiently employed in the pursuit and killing of game. Once game became scarcer, life less nomadic and consequently more dependent on agriculture, man turned his activities to what had been the woman's share of work. With his greater strength and willingness to co-operate with his kind, he soon clears jungles and irrigates the land, and agriculture assumes such considerable dimensions and gains so much in importance that woman is relegated to doing man's bidding. On the Continent, especially in France, we still see signs of this dual working of the land, the woman undertaking the care of all within the immediate vicinity of the home, the man working farther afield.

Professor Thomas sums up this new phase as follows:

"The destructive habits of the male nature were thus converted, under the stress of diminishing nutrition, to the habits represented primarily by the constructive female nature, and the inventive faculty developed

through attention to destructive mechanical aids was now applied equally to the invention of constructive mechanical aids."

This conclusion brings us a step farther; not only were women the first social organizers, but they also represented the constructive element in the community, and it was only when driven out by man's unemployed energy that they resigned their pre-eminence.

It is in my opinion the necessity to adjust herself to man, to be judged by his individual standard and to conform her whole personality to his ways of thinking, that has robbed woman of the power, strength and influence she could have exerted as a united and independent majority. Why should women have a standard of right and wrong adjustable to the moral sense of the men to whom they may happen to belong by purchase, as in earlier days—by marriage, as in modern. How can any logical sequence in mind or action be expected of woman under such prevailing conditions?

In nearly all the Oriental nations, faithfulness is the only virtue extolled in woman, the only one expected of her or seriously impressed upon her consciousness, and yet even that one stronghold of her soul could be destroyed at her husband's command, though she would be punished by death if she destroyed it without his permission.

What moral sense can be born of such an anomaly? Surely blind obedience is not the school to produce a sense of responsibility or a moral code fit for others than slaves, and is pernicious in the last degree to a sentient and thinking being. The Mohammedan religion degraded woman excessively, consigning her, as far as psychic qualities are concerned, to the level of beasts, forbidding her forever the hope of future salvation. Man is taught to regard her as conducive to his comfort and pleasure, but in no manner necessary to the development of those higher flights of ambition, utilitarianism or philosophy his mind may lead him to. Is this attitude to be traced to the industrial value of women, which, from the earliest times, induced men to bargain for their wives, and, as they grew richer and the scope of their trade increased, to contract more than one marriage in order to increase their means of production? Very possibly, as in patriarchal days, this lust of gain and of new conquests and the wish for more descendants lay at the root of the system. An idea

has even been projected that, if women gain the franchise, England will become addicted to polygamy—women being in the majority by a million and a half, and every woman insisting on the right to part of a husband. But the industrial value of woman in the upper and middle classes has so greatly decreased that it is to be feared more than one wife will hardly meet with favor in the eyes of the man who has to dress, feed and amuse her.

As we study the position of women through the course of history, beginning with patriarchal days and proceeding with the women of Greece and Rome to the advent of Christianity, we shall see how in primitive organizations it was always woman's industrial value that governed her position, and made her the chattel, first of her father, then of her husband; and how, as civilization progressed, and woman became less of an asset in the production of wealth and more of a power as a co-partner and co-inheritor, her position changed from one of dependence to one of importance, and ended in one of almost perfect equality with man.

The dominant characteristics the Hebrew women seem to have possessed from Sarah to Jezebel, Esther and Mary Magdalen, were loyalty and intelligence, and it is through these more than any other qualities that they gained their ascendancy.

They were educated and thrifty; valor was a quality that did not unsex. Deborah, minstrel, judge and soldier, carried the Israelites to one of the great victories of the world, and it is difficult to conceive a grander hymn of praise than Deborah's song of victory.

Miriam's character has a marked individuality. "She is not a feminine cipher, a mild nonentity, a mere appendicle of man. She is a person of force, with a mind and a will of her own, and she rounds out the primitive possibilities of a woman's career to the full."* As a nurse, sister, wife and mother, she is equally admirable, and in the public sphere she shines as a leader and is recognized as a power among men. Listen to Miriam as she sings one of the oldest national anthems in the world after the destruction of Pharaoh's host in the Red Sea. It is curious to reflect that the Israelite women were so soon to avail themselves of the freedom to take part in public life, and to exercise their right to participate in religious ceremonies

* "Women of the Bible," page 186.

and national festivals in accordance with Egyptian custom and tradition.

Then see her together with Aaron stirring the people to revolt against Moses, and remember it was her influence with the people that was most feared. When she died, she was given a costly public funeral, and they mourned for her for thirty days. As the prophetess and heroine of the Exodus, she was a forerunner of the coming woman.

Although she was not endowed with any popular characteristic, Sarah was remarkable for the esteem in which she was held by Abraham and his people. During her sojourn at Pharaoh's court, she was an active missionary of the new faith among women, as Abraham was among men, thus establishing a purpose in life by adopting her husband's career as her own and in working with him for the same end.

Jezebel, the Lady Macbeth of the Hebrews, whose pride, indomitable courage and set purpose for a time daunted even the fearless Elijah, proves the giddy height of power to which a woman's ambition and determination could in those days lead her. One cannot but concede a certain meed of admiration to her prodigious force of intellect and will, of which her tragic ending cannot rob her.

These varied types exhibit the different qualifications under which Hebrew women won distinction from their contemporaries, and are in themselves convincing refutations of the theory that women are meant by nature to play minor rôles in the world's history. Hebrew women held their own as prophets, lawgivers, soldiers and judges without in any degree impairing the foremost and most distinctive quality in womanhood.

In no time, among no people, was motherhood esteemed more sacred; and yet the Jews were also carefully observant of woman's rights:

"And the Lord spake unto Moses, saying: 'The daughters of Zelophehad speak right; thou shalt surely give them a possession of an inheritance among their father's brethren; and thou shalt cause the inheritance of their father to pass unto them. And thou shalt speak unto the children of Israel, saying: "If a man die and have no son, then ye shall cause his inheritance to pass unto his daughter."'"

Women did not agitate for nothing in those days.

Again, a woman taken captive by the Israelites, if she pleased

her captor, could put off the raiment of her captivity, and, after a month's mourning for her parents, become the wife of her lord. Again, did she fail to please him, he could let her go wherever she wished, but he was not to sell her for money, "nor make merchandise of her because he had humbled her"—a very distinct advance in the respect due to woman, as is also seen in the indemnities paid by those who "brought up an evil name upon a virgin of Israel" without a cause. Again, men are urged to make themselves agreeable to their wives, especially during the first year of marriage. "When a man has taken a new wife, he shall not go out to war, neither shall he be charged with any business; but he shall be free at home one year, and shall cheer up his wife which he hath taken." Surely a very commendable attitude, and one likely to insure sweeter harmony and understanding, but a honeymoon of similar duration would hardly be acceptable to the modern man, nor would his business interests be likely to await his attention in so complacent a manner as the text indicates. The only reasonable alternative seems to be for woman to have her outside interests in similar fashion, and thus insure her from falling into slothful and lazy habits at the very beginning of her responsible life.

When we sum up women's position amongst the Hebrews, we find that they had as a body achieved the respect and admiration of men, so that the laws concerning their position and rights were not of a harsh character. Their influence had become wide, their capacity noteworthy, and their industrious, religious, moral and home life altogether worthy of emulation.

When we come to the Greeks, we find that the sphere and duties of women were as varied as the various forms of government and different schools of philosophy that flourished in the Peloponnesus. Each town had its principles, theories and differentiations, and every citizen conformed to the laws of his particular home. Athens and Sparta, being the best known and most widely divergent in their modes of government and schools of thought, will serve our purpose of investigation best. But there are certain characteristics that were common to all Greeks, the characteristics that are known as national and that bind together a country, whatever its intestine feuds, against the common enemy. These characteristics are traceable from the very beginning, and shine through the pages of Homer with a lustre

and joyousness altogether captivating. The Pagan spirit, whatever its moral delinquencies, is one of entrancing happiness and gayety, and its direct appeal to nature, as the fountain of life and author of goodness, holds all the gracious trust of childhood together with the deeper philosophy of Pantheism. Their wondrous myths, so potent in charm, so effective in portrayal, have warmed the imagination of the world, and the statues of their gods and goddesses have been the models and envy of all civilization. Their cult of beauty and the sense of proportion it entails governed their spiritual as well as their material life—utility and appropriateness completed their judgment. Their religious rites partook of the beautiful, the joyous, the sensuous; all that elevated their spirits to perfect accord and harmony, all that nurtured happiness and lit the sacred flame of genius or of art, was to them religion. Their beautiful mountains and smiling plains they peopled with gods and heroes, and in every manifestation of nature they read a divine message. Poetical, imaginative, fearless and joyous, there was none of the melancholy cruelty of the North in their conceptions, and like their beliefs and their traditions, we find their attitude to woman gentle and forbearing. This is mainly to be accounted for by the divine power they attributed to love. If their gods could be overwhelmed by the passion to such an extent as to do things best left undone, how could they poor mortals withstand? A female Pythagorean philosopher, Periktione, writing on the harmony of woman, says, "For a wife ought to bear all the circumstances of her husband, whether he be unfortunate, or err in ignorance, or in disease, or in drunkenness, or have intercourse with other women, for this error is permitted to husbands, but no longer to wives, for punishment awaits them."*

In the beginning, morals were a matter of circumstance and propriety, but as time went on they became stricter owing to the rule of citizenship and birthright, and at length culminated in Plato's high conception of the Ideal State and its attendant virtues. It is interesting for our purpose to notice the advice given by a woman to her sex, and to know that these women were not only allowed to become philosophers, but also to practise the art, which in those days was held in the same esteem as the law would be nowadays. But to return to Homeric

* Donaldson, "Woman," page 5.

days, when the law of right was might, it is not to be wondered at that woman, as the weaker and non-combatant partner, had no civic rights; she depended entirely on man—but man's rule of her was mild, gentle and compassionate. He treated her with chivalry, dignity and respect, and even when her foolishness involved wars such as the Trojan, it was not Helen who was blamed—her beauty had caused the trouble, and over that she had no control. An acceptance of facts and a belief in the sequence of cause and effect, together with a philosophy of human kindness, explains the Greek attitude towards women and towards life. Life was short and death long and dreary, therefore let them be kind and forgiving and thus make life worth the living. They loved their wives, and were monogamists by nature as well as in fact. Women in Homeric times were generally happy, and Penelope is only one of the many instances of a virtuous wife. Indeed, Greek literature is full of types of strong and splendid women, great in adversity, undaunted in danger. Euripides, although he hated women, has given us fine exemplaries, and in history, whenever woman shared death or suffering with man, she did so in a manner that left little doubt as to her endurance and self-control—revealing also a glory of self-immolation for a loved being unequalled by man. Woman then was free and contented, and the influence she exerted over man one that spurred him to great deeds and made him noble in her eyes. Women were expert in all domestic arts, spent a great part of their time out-of-doors, and were innocent and childish in their amusements. They were, in consequence, healthy, happy and often beautiful; there were none of evil repute, and if at times one of them lost her "sense of proportion" it was excused as a fit of madness. Such were the Homeric women.

Taking these race characteristics, we turn to the study of Spartan women in particular, of whom much need not be said, the system of their education being almost a text-book to the modern American girl, judging her from appearance and her *modus vivendi:* To be strong mothers of healthy children was the end ever before them and the explanation of their development. It is interesting to see with what whole-heartedness the Spartan women took up their share of this scheme, and how they co-operated with men in realizing that ideal state which unity of purpose is said to have built up. That women can combine to a

given end and succeed magnificently is forever exemplified by the race of strong courageous men Spartan women produced for no less than five hundred years—a race whose prowess, beauty and physical endurance have never yet been equalled. They succeeded so well in their unity of purpose that they were accused by Aristotle of ruling the men, and there seems to have been truth in the accusation. "Many of the wives were better educated than their husbands, and the fact was noticed by others. 'You of Lacedæmon,' said a strange lady to Gorgo, wife of Leonidas, 'are the only women in the world that rule the men.' 'We,' she replied, 'are the only women that bring forth men.'" An answer which demonstrates the close relationship of idealism in man and woman, and the necessity of keeping woman's position and influence at its highest in order to produce the corresponding ratio in man.

In Athens we find the same ideal as in Sparta animating laws, customs and relationships. The purity and unity of the State, as the highest form of government in their minds, is still the *summum bonum* they aspire to. But in Athens they compass this end by totally different measures necessitated by varying conditions. Athens being to all purposes a seaport as well as a recognized centre of learning, art and civilization, foreigners came there in great numbers, and Athens grew into a cosmopolitan community. Now how could Athenians keep their citizens untainted from foreign blood otherwise than by harsh and drastic legislation meant to enforce the rigidity of legitimacy and a careful supervision of women. Association with a stranger could never become a marriage, and infidelity was punished with the most terrible disgrace. Men hardly knew their wives, who lived in seclusion both before and after marriage; they had no freedom or recreation, and their duties and education were limited to a strictly domestic sphere. There was little affection in these *mariages de convenance,* the wife being unable to become a companion to her husband as she was intellectually and morally his inferior. The domestic sentiment was feeble, and the ties of blood-kindred counted for more than those of marriage. It is curious that the strict Athenian laws concerning citizen women were so similar to those the Christians later laid down for their womankind, and that the result was in both cases the same. It would seem that the subjection of woman to harsh and un-

natural isolation did not produce either fine or lovable women, and that it had the effect of disrupting the elements that compose a contented home. The women must in many cases have had natural intelligence and aptitude, otherwise there never could have been so many remarkable men as Athens at one time produced. But that their natural gifts were in no manner encouraged accounts for the fact that not a single citizen woman attained distinction in art, literature or science. They certainly attained the one distinction Thucydides grants woman. "Great," says Pericles, in his famous funeral oration, "is the glory of that woman who is least talked of among the men, either in the way of praise or blame." This harsh and unpleasant system produced a want another class of women at once rose to satisfy. The *hetæra,* or companion, who used the moral freedom permitted her in the city to establish herself as a power, and in spite of the opprobrium with which a non-citizen and foreign woman was regarded, in spite of the fact that she had no rights and that no law protected her, nevertheless succeeded in her object. Many of them exerted influence over the wisest and most prominent citizens, and gained reputations as brilliant, talented, intellectual and in some cases virtuous women. On the other hand, there were many amongst them who knew nothing of the higher aspect of friendship, who disdained or were too ignorant to use aright the power put into their hands, and who trafficked with the love of man for the furtherance of their own selfish and worthless ends. This is hardly to be wondered at when one reflects upon their peculiar position in an age when woman was considered too weak and foolish to survive unprotected. What is surprising is that there should have been a great number of women among them with so high a sense of honor, so developed an intelligence, so refined a temperament and so good a judgment. True, a certain number were well born, and came to Athens with the express purpose of gaining influence over statesmen, philosophers and artists, and in so doing gratifying their ambition in making history. Some achieved their purpose in forming a school of thought and in creating brilliant salons, centres of learning and wit; others by lending their beauty to the chisel of Phidias or Praxiteles, and the more fleeting brush of Apelles. Many of them have been traduced and slandered by the Comic writers of the time. These, because they wrote chiefly for men

and were acted only by them, indulged in every quibble and heresy at woman's expense. It was natural that they should pick out the most prominent and talked-of women of the day at whom to hurl their venom, and many names, Sappho for one, have come down to us charged with opprobrium and connected with vices they very likely never were guilty of. But even their malicious slanders have left one character untarnished—Aspasia, the greatest woman Greece ever produced, as Sappho was the greatest poetess, stands out unharmed. It is remarkable to follow her career from the day she left Miletus to the day when Socrates, who in the "*Memorabilia*," acknowledges her as his teacher, and in whose dialogues she plays a prominent part, exclaims, no doubt inspired by her personality, "Woman's nature happens to be in no respect inferior to Man's, but she needs insight and strength." That Pericles, the greatest statesman Athens ever possessed, divorced his wife because of her, that she became his wife in all but status, that her son was made a citizen with full rights, are all matters too well known to record. What is more to our purpose is the remarkable influence she gained, not only over the men of Athens, but through the men and by their permission over their wives. That her salon, probably the first and most brilliant the world ever knew, should have been the favorite resort of Plato, Socrates, Sophocles, Euripides, Phidias and Anaxagoras, is an index to the capacity of her understanding, the charm of her intellect, and the powerful magnetism she exerted by her personality, even more than by her person—her busts do not show her a very beautiful woman. Still more remarkable is the fact that the dignity of her womanhood should have so greatly impressed these disciplined Greeks as to bid them depart from principle and precedent and bring their wives to her, so that she might instil her ideals into them and instruct them in the duties of a wife and mother, which in her understanding and attainment she had carried to their utmost perfection. What did she teach these poor prisoners of convention, unto whom her message of liberty, knowledge and moderation must have seemed as the prelude of some sweet harmony to which they had not the key-note? Was she able with her knowledge of human nature, her instinctive reasoning and quick perception to indicate to each where lay the dominant note; to show their hesitating minds where gleamed the light; to guide

them through the shadows to the effulgence of that perfect understanding she and Pericles had found? Was her influence bent only on raising them from the status of house-wives to that of companion-wives? Or did she venture further and point out where woman's path lay outside the four walls of her home? Was she the first suffragist, and did her political ambition include women as well as men in the sphere of her influence? There is little doubt some of these theories must have actuated her teachings, or she would not have been tried for impiety and only acquitted through the impassioned pleading of Pericles, who on this one occasion accompanied his entreaties with tears. There is no doubt that Aspasia foresaw that a city in which the mothers were held in so little regard, and were allowed to wield none of that influence childhood requires, must sooner or later retrograde—and that during her lifetime she did her best to stem that great tide of foreign influence in which the *hetæra* after her death drowned all the good of her teachings.

Her greatest monument is to be found in the equal position assigned to woman as to man in Plato's "Republic"; and, with his words indicating the tremendous stride public opinion had taken in favor of woman, we sum up Aspasia's life-work. "And so," he says, "in the administration of a State, neither a woman as a woman nor a man as a man has any special function, but the gifts of nature are equally diffused in both sexes; all the pursuits of men are the pursuits of women also, and in all of them woman is only a lesser man."

CONSUELO MARLBOROUGH.

(To be Continued.)

THE FUTURE OF AMERICAN ART.

BY BIRGE HARRISON.

We hear with increasing frequency to-day the statement that art is universal and without a country; that, being the record of abstract beauty, it cannot be confined within stated geographical limits; that the terms "French art," "English art," etc., are therefore absurd. Art is art *tout bonnement,* and that is all there is to it.

According to these critics, the mere fact that a man with the temperamental sense of beauty chances to be born in France or in Holland does not necessarily make him a French or a Dutch painter. If the Frenchman were brought up in Holland, and the Hollander in France, the Frenchman would then inevitably belong to the Dutch school and the Dutchman would develop as a French impressionist. Each, being temperamentally sensitive to beauty, would simply respond to the appeal of his environment.

Now, if this is correct, there could, of course, be no such thing as American art. But that there is such a thing—an art which would have been impossible but for the evolution of the American man, as distinct from the men of Germany, France, Spain or even England—is precisely what I hope to demonstrate in the present paper. And that this American art is destined to grow rapidly in power and distinction, until it occupies for its little time the foremost place in the world of art, is not, I think, beyond the power of reasonable demonstration.

Let us first clear the ground by rehearsing those points upon which both parties are agreed.

All admit, of course, that art is the record of beauty in some one of its myriad forms, be it a Persian rug, a Japanese ceramic, a Greek statue or a modern oil-painting. In each case, if the beauty is of a sufficiently high order, the result is art. We all

admit also that art is personality—that nature is only the crude material from which art is made. This crude material must be fused in the alembic of the human soul, mixed with the alloy of temperament and colored with the artist's personality before it can be poured out into the final mould and receive the name of art. It is the artist's personality, in other words, that makes the art. And just according to the beauty or the individuality of his temperament will be the beauty or the individuality of the artistic result. If he be a poet, like Corot, the result will be a poetic and delicate interpretation of nature. If he be a colorist, like Monticelli, the result will be some such gorgeous mosaic of splendid color as that wonderful painter gave us. If he be an intellectual of the fine, clean-cut Puritan type, such as St.-Gaudens, the result will be something akin to the Sherman monument that dignifies the entrance to Central Park in New York.

But just here comes the dividing line between the contending factions. *What is personality?* One group declares that personality is simply temperament which plays free within the artist's soul; and, working upon whatever chance material its environment affords, transmutes this crude material into the fine gold of art. The opposing group, while admitting that the basis of artistic personality is temperament, asserts that this temperament is bound hand and foot by the inherited traits and characteristics of a thousand ancestors, and that the Frenchman brought up in Holland would therefore always remain essentially a Frenchman, in spite of his Dutch surroundings. They claim also that racial personality is just as important a factor in all good art as individual personality. They assert, moreover, that no artist can possibly shake off the racial chains that bind him, and that any attempt to do so could only result in some monstrous hybrid or some feeble imitation not deserving the name of art.

Each artist is, first of all, a unit of some specified human group or race. Therefore, if he truly and conscientiously records his own impressions, he will also record the accumulated impressions of the race to which he belongs. That he does this is amply proved by the fact that any reasonably expert judge will tell you whether a picture belongs to the French or the Dutch or the Scandinavian school, without knowing the name of the painter, or anything more of the picture than the canvas itself discloses.

It is impossible, therefore, to avoid the conclusion that racial

individuality in art is fact—and a very real and solid fact at that. In some of our modern schools of painting, this racial character is so strong as to quite dominate and submerge the individual note, so that it is often difficult to distinguish the work of one well-known painter from that of some equally celebrated fellow artist. This is particularly true of the Dutch school, for instance. In fact, the whole art of the Netherlands is so intensely "Dutch" that we may know the characteristics of the Dutch people as well by studying their art as by reading all that has been written about them.

Now, it is a curious thing that, while we in America have, for the past twenty years, been discussing the question of whether any such thing as a national school of art exists here, in Paris *"l'Ecole Américaine"* has for fully as long a time been recognized as a distinct school, with a marked personal note of its own. And it must be remembered that this verdict was based upon a very partial and imperfect knowledge of American art even as it then existed; for the "American School," as it was known to the French writers of 1885, embraced only a certain number of young American artists who were living in France, and whose whole art training had been received in Paris under exclusively French influences. In spite of this fact, the French critics felt in the work of Sargent, of John Alexander, of Melchers, of Alexander Harrison and of St.-Gaudens, an exotic note, a new point of view, whose chief characteristic was an unusual directness and clarity of vision, coupled with a corresponding simplicity of statement.

A great French painter once said to me: "You Americans have one great advantage over all others. You have no traditions. You can look straight at nature out of your own eyes, while our vision is clouded and obscured by the inheritance of a thousand years."

If to the above list of names we add a few others,—Winslow Homer, Homer Martin, John Lafarge, George Inness, Alexander H. Wyant, all those of painters who were at that time in the full height of their powers, but who were established at home on this side of the Atlantic,—it will be seen that the French were not mistaken in announcing the appearance on the Western horizon of a new and entirely original school of art.

Since the date above mentioned, art in America has made such

rapid strides that a roll-call of American artists of the first class taken to-day would have to include three or four times as many names as could have been mustered in 1880. And it is a significant fact that this increase in the number of American artists, and in the quality of their output, has been coincident with a phenomenal decrease in the number of really great artists at present practising abroad. This decrease has been particularly marked in France, which, during the larger part of the nineteenth century, certainly led the world in all matters connected with art. Yet in France to-day we will search in vain for any such body of painters as made up the wonderful school of Barbison, which, in the fifty years beginning with 1830 and ending with 1880, gave the world the greatest art it has seen since the Italian, Dutch and Spanish rennaissance of the sixteenth century.

It could hardly be expected, I suppose, that this glorious time of blossom and fruitage should repeat itself in France during our own time. Indeed, all history has shown that things do not so happen in the domain of art. Art is a plant whose seed germinates only under certain special and favoring conditions. These conditions are really epochal in their character, and they rarely recur in the life of any one nation; or, if by some specially happy chance they do repeat themselves, it is only after the lapse of many centuries.

To every energetic people there comes sooner or later a time of great material prosperity; it may be as the result of successful wars, of territorial expansion or of commercial supremacy. Whatever the cause, this period of prosperity is invariably accompanied by a tremendous mental stir and awakening, and this, in turn, is followed by a magnificent outburst of art, which lasts for fifty, or maybe a hundred years, and dies away as it came.

Now, if ever in the history of the world conditions have been ripe for the birth of a great art movement, they are so in America to-day. Titanic forces have been at work for a century preparing the way, extracting untold wealth from a virgin soil; increasing this wealth an hundredfold by the help of marvellous scientific and mechanical genius; conquering, with the irresistible impulse of a new people, every physical obstacle that lay in their way, and building up the richest and most powerful community the world has ever known. Its early struggles are now

apparently over, and its surplus wealth is daily increasing. The average of comfort is high and the physical well-being of the people seems practically assured. Whenever in the course of history a nation attains to this stage of development, it begins to reach out towards the ideal, to demand more of life than simple food and shelter.

This is precisely what is taking place in America to-day. There is a growing demand for beauty in all its forms; for the adornment of our public buildings;—for galleries of paintings and statuary; for museums containing porcelains, bronzes, textiles, prints and objects of art of all kinds—a demand so insistent that our municipalities and our legislatures are everywhere beginning to respond to the call of the people. This movement, which may be said to have started a scant ten years ago, is spreading rapidly all over the country. To the art museums in cities of the first class, such as New York, Philadelphia, Boston, Chicago, Cincinnati and St. Louis, have already been added museums or regular yearly exhibitions in many cities of the second or third class. Among these may be mentioned Pittsburg, Worcester, Buffalo, Toledo, Minneapolis, Kansas City, Atchison, Richmond, Charleston, Atlanta, Memphis, Oakland and Seattle; while every year a number of names is added to the list. Unless all signs fail, therefore, we may expect during the current century an unprecedented demand for art in the United States, and we are certainly justified in assuming that native artists of the first rank will arise to meet the demand.

Conceding this much, it will be interesting, and also I think quite possible, to forecast the general trend of the movement and the general character of the new art—for new it is bound to be.

If the American painters of thirty years ago had been separated into two groups, the figure-painters on one side and the landscape men on the other, the balance would have been found to be fairly even. If the same thing were repeated to-day, fully two-thirds of our ablest painters would be found in the camp of the landscapists. This shifting of the balance is most significant, for it shows a new drift, a tendency on the part of our artists to carry their easels out into the open; to paint, or to try to paint, all of the shimmering, iridescent effects that happen only under the great blue arch of the sky; the glory

of the noonday sunlight, the pale beauty of the dawn, the golden glow of sunset and the brooding mystery of night.

Why, we may ask, this change of direction? The answer is simple: the artists have discovered that most of the unsolved problems of art lie in the open air. They know by instinct that art, to be alive, must move ever forward towards some new goal. If it remains in one rut, it stagnates or dies. The end of every great art movement has come when its living, rushing, turbulent waters have been congealed into icy formulas—rules of thumb by the use of which the mere artisan can produce a sort of near-art which is necessarily without vitality or charm. The true artist must always be an innovator, a pioneer in fresh fields, an adventurer seeking new Eldorados. If he now goes afield, therefore, it is because he knows that in the domain of indoor figure-painting there are few undiscovered countries. This branch of art was exploited long ago by the old masters, and their achievements were so transcendently great that any modern painter who sets out to equal or excel them in their own chosen line must be endowed with a large share of courage and self-confidence.

The old masters, however, knew nothing whatever about landscape. Indeed, it is curious, when you come to think of it, that artists whose vision was so wonderfully true in the diffused light of the studio should become suddenly blind on stepping across the threshold and out into the open sunlight. For this there is only one reasonable explanation—if the old fellows knew little about landscape they cared less. Their concern was with humanity; its joys and its sorrows; its loves and its passionate hatreds; its wars; its pageants; its faiths and its superstitions. Landscape to them was never more than a stage setting, a background against which the human puppets played their parts. Viewed simply in this light, however, it was not only adequate, but frequently artistic and admirably beautiful. Nevertheless, it was not landscape at all in the modern sense of the word—landscape as we know it. It was conventional in form, false in color and devoid of atmosphere and luminosity.

Not until more than a century later, and then in far-away England, did the first true school of landscape make its appearance. A small group of painters, the best known of whom perhaps were Constable, Chrome and Bonington, went out into the

fields, and brought back pictures which were the first true impressions of outdoor nature ever placed upon canvas. Their achievement was unique. Indeed, it was one of the most astounding intellectual feats of all time, and it has never received a fraction of the praise which is its just due. Art, be it remembered, is a thing of infinitely slow growth, each school building upon the foundations prepared by its forerunners, each generation adding its mite to the general store of knowledge and experience.

The English portrait men of the same period, for instance, although fine painters, simply followed in the tracks of the old masters. There is nothing especially original in the canvases of Reynolds, Gainsborough or Romney. But this little band of landscapists, with no artistic parents, with no predecessors to point out the way, suddenly evolved a totally new art out of thin air. Their discoveries, it is true, were confined to the realm of color, but their achievements in that domain were sufficiently remarkable to give England a place which she could never otherwise have had among the art-producing nations of the world. They were the first to see and to record the pearly tones of outdoor nature, and their technical bequest to posterity was an extended gamut of grays and mauves and lilacs which remain upon the artist's palette to the present day.

A scant half-dozen of their pictures drifted over to France, and there became the inspiration of a new art movement, which finally resulted in the great school of Barbison. Millet and Troyon, Corot and Rousseau incontestably produced greater work than Chrome and Constable, but their pictures were all painted on the lines marked out by the Englishmen. Indeed, it is questionable if we should have ever had a Barbison school had it not been for the iconoclasts across the Channel.

While the great Barbison school of painters was still in its prime, there appeared upon the artistic horizon another band of innovators who have since become known as the French Impressionists or Luminists. They were in reality, as their name implies, painters of light, and their technique was founded upon the scientific principle that light is essentially prismatic. White, being made up of the three primary colors—red, yellow and blue—should so be painted, they declared, the three pure pigments lying side by side upon the canvas—and the same with red, with yellow, with blue, with green; always and everywhere the three

colors of the rainbow shimmering, interlocking, playing back and across one another in a scintillating dance of color that is at first disconcerting to the uninitiated, but which, viewed from the proper distance, produces an effect of atmosphere and of light never before obtained from a painted surface. The work of these men really seems to vibrate with light, and the word "vibration," first employed by them, has now been permanently added to the artists' vocabulary. Under the leadership of Pizarro, Sisley and Monet, they delivered a message which future artists can never afford to ignore.

But, while their discovery is sound in principle, no entirely satisfactory technical method of applying it to the painting of pictures has yet been discovered. It is certain that the dots and dashes and cross-hatched strokes of pure color generally used by the Luminists do not render the effect of nature as seen by the ordinary cultivated eye. The veteran Monet himself lived long enough to recognize this, and in his more recent work he has abandoned his early militant method, while retaining the general principle of broken color.

This is one of the unsolved problems of art that we Americans have to work out. Another is the question of how best to convey the impression of motion upon the rigidly quiescent surface of a canvas. This has never been accomplished, but to assert that it is impossible would be a hazardous statement. Still another problem derives from the limitations of the human eye. A good photographic lens will see every leaf upon a tree or every individual in a crowd of ten thousand people. The human eye can see at best but a dozen or two of leaves or people, the remainder producing the effect of a more or less indefinite blur. How is the effect of this blur to be rendered with just sufficient definition to produce the same effect upon the spectator? It is quite certain that other problems will arise, problems as unsuspected today as was the prismatic theory of light a hundred years ago. In a case like this it is impossible to particularize. One small discovery frequently leads to a much greater one, and the only thing we can predict with certainty is that the unexpected will occur. But we do at least know that the door is ajar, that the glorious sunlight is out there, just beyond, and that nothing can keep us longer cooped up indoors.

Probably one chief cause of this universal return to nature

is the fact that our lives are not, humanly speaking, so beautiful as they once were. Our clothing is no longer picturesque. The advent of farm machinery has destroyed much of the pastoral and bucolic beauty of country life. The sowing and reaping and binding and threshing that were done by hand in the old days with such splendid rhythmic swing of muscle are now matters of revolving wheels and clattering chains and knives. Even our buildings have deteriorated—at least from the artist's point of view; for the comfortable villa farmhouse of the present day does not cling lovingly to the soil and become part of the environing landscape, as did the spreading low-hung buildings of our fathers. And so, to quench the eternal thirst for beauty in our souls, we must needs return once more to kindly nature, whose beauty is exhaustless and everlasting. Her skies have lost none of their early crystalline charm of color; her hills and her rock-bound coasts are as grand as ever; her trees, her rivers and her spreading fields are as beautiful and as appealing now as in the days of Hesiod. But, precious beyond all other things, her exquisite and ever-varying effects—that happen because of the change from night to day and from day to night again—are spread out always before us, an endless feast of beauty for those who have eyes to see and minds to appreciate.

Nevertheless, it is quite possible that, in the very changed conditions of our civilization, there may lurk wonderful and hitherto unsuspected opportunities for our future artists, and especially our figure-painters. There is certainly a strange picturesqueness in some of our modern steel-mills, with their cyclopean forces at work against backgrounds of whirling steam and glowing furnace. Even our sky-scrapers have an unusual beauty of their own, and the sky-line of lower New York is far from being ugly or uninteresting. Another field that is replete with possibilities is the teeming and kaleidoscopic life of our city slums, which the inexorable law of migration has crowded with strange peoples from the far corners of the earth; peoples who are as yet unassimilated, who still wear their exotic costumes and live their strange, foreign lives in our very midst. There has already been some attempt to use this exhaustless material (unfortunately, as yet, without adequate technical skill), but when the trained master shall paint for us the life of our streets with all its vital and original character, we will welcome his

pictures as a priceless addition to the world's store of precious things.

I have as yet made no mention of mural painting, which is, of course, destined to occupy a very important place in the art of the future. Thousands of new public and private buildings all over the country will call for decoration, and I have no hesitation in predicting that the opportunity thus afforded will result in some bewilderingly great discovery in advance of our present-day knowledge of that art—a step in advance at least as important as that made by Puvis de Chavannes when he painted the out-of-door atmosphere upon the walls of the Pantheon in Paris. It is at least certain that the advance in this same direction will be pushed much farther, and that open-air effects and open-air tones will be used with increasing frequency by our mural painters, because on this line only can they hope to achieve any notable advance over their predecessors.

The fact is that the open has claimed us as a people! We devote ourselves with ever-increasing enthusiasm to out-of-door pleasures and out-of-door pursuits; we have learned to love out-of-door nature and out-of-door beauty. It is our best achievement as a nation; and our artists in this are, therefore, simply leading the van in the march of modern civilization.

BIRGE HARRISON.

PROGRESS OF CAMPAIGN-FUND PUBLICITY.

BY PERRY BELMONT, PRESIDENT OF THE NATIONAL PUBLICITY LAW ORGANIZATION.

After the close of the Presidential election of 1904, an article appeared in The North American Review, in February, 1905, drawing attention to conditions then prevailing in respect to campaign contributions and expenditures, their excessive amounts and especially the harmful and corrupting effects of the secrecy attending them. The enactment of a Federal law, effectively supplemented by State legislation providing for the publication of such contributions and expenditures by National, State and local campaign committees, was urged. On motion of Senator Tillman, the article was ordered to be printed December 16th, 1905, as a Senate Document (No. 89). Fortunately, the arguments then advanced need not now be repeated. The purposes of the article have been practically accomplished, although Federal legislation upon the subject remains unsecured.

Shortly after the appearance of the article, associations were organized to promote such legislation in Congress and in those States where publicity laws did not exist. As the New York statute of 1890 merely required reports of the expenditures of candidates without reference to the amounts contributed to political committees or to the expenditures of such committees, it was determined to secure, if possible, the enactment of an effective publicity law by the New York Legislature, and a State organization for that purpose was formed. It included in its membership members of the Democratic and Republican National, State and County Committees, representatives of organized labor, a number of representative members of the New York bar, among them Charles E. Hughes, Counsel of the Insurance Investigation Committee, and others. The Law Committee of this organiza-

tion—consisting of Charles A. Gardiner, Chairman, John F. Dillon, Ex-Governor Frank S. Black, Francis Lynde Stetson, John S. Crosby, John Ford, Edward Mitchell, Edward Lauterbach, Edward M. Shepard, Comptroller Edward M. Grout, John G. Milburn, DeLancey Nicoll, John R. Dos Passos and Martin W. Littleton—prepared a publicity bill, which was incorporated with certain provisions relating not especially to publicity, but to the subject of corrupt practices acts which were proposed by Judge D. Cady Herrick and others, who afterwards formed an organization headed by Mr. Seth Low and who have accomplished much for the enactment of such legislation and continue effective work for its enforcement. The bill thus framed was introduced in the Senate in 1905 by Senator Brackett and in the Assembly by Assemblyman George M. Palmer. Provisions relating to corrupt practices, being considered too drastic, were stricken out of the measure, which then passed the Senate in the form recommended by the Publicity Law Organization, and was favorably reported by the Judiciary Committee of the Assembly. Owing to the amendment of the bill in the Assembly during the closing days of that session, its final passage was rendered impossible.

Before the assembling of the succeeding Legislature, revelations before the Insurance Investigation Committee in regard to contributions to political committees by life-insurance and other corporations aroused an irresistible demand for remedial legislation. Under these circumstances, it was deemed necessary to carry to completion the work which had been inaugurated nearly a year previously, and to enlarge the membership of the organization. With that end in view, a meeting of the Publicity Law Organization was held at the Astor House on Monday, November 20th, 1905. Certain amendments were adopted and a new bill prepared, which was introduced in both branches of the Legislature at the opening of the session for the year 1906. Amendments were made by the Judiciary Committee of the Assembly which were fully approved by the Publicity Law Organization, in behalf of which the following telegram was sent to the Hon. Robert L. Cox, Chairman of the Assembly Judiciary Committee:

"After a meeting of our Executive Committee, at which the bill reported by the Assembly Judiciary Committee, of which you are Chairman, was considered, we desire to congratulate you and your associates on the public-spirited manner in which you have performed the duty

devolved upon you in this difficult and important matter. The amendments you have incorporated in the bill, as originally presented to the Legislature at the instance of our organization, are in themselves evidence that your committee and our organization are in complete accord as to the main purpose of the proposed law."

A public hearing was accorded the bill by the Judiciary Committee of the Assembly on January 30th, 1906. It was pointed out that, at a meeting of the National Publicity Law Organization held in Washington on January 17th, 1906, nineteen of the States had been represented. As a result of the work and experience of the National Organization and the co-operation of those having practical experience in the enforcement of publicity laws in other States, the bill thus presented to the New York Legislature embodied the most effective features of this form of legislation. The attitude of the Governor, of the Attorney-General, and of the Chairman and members of the Judiciary Committees of the Senate and Assembly greatly aided the work of the New York State Publicity Law Organization. The bill passed the Legislature and was approved by Governor Higgins. The new law has, since its first operation, proved beneficial and fully attained the objects for which it was enacted.

The object of the National association, like that of the New York State organization, has been to secure publicity of campaign committee contributions and expenditures. Neither organization has concerned itself with so-called "Corrupt Practices Acts," which, as their title implies, are enacted to prevent infractions of the election laws and practices injuriously affecting the elective franchise. They are penal statutes to regulate the conduct of elections and the objects and amounts for which campaign funds can be lawfully expended. In joining the National Organization, Judge Gray, of Delaware, wrote as follows:

"Corrupt practices acts have been largely unavailing and seemingly incapable of being enforced. Compelled publicity as to contributions and campaign expenses will be more effective than all of them put together towards suppressing the evil of electoral corruption. It will work automatically and require no legal machinery of pains and penalties to enforce it. I mean that, when the publicity is once enforced, the beneficial results flow automatically, without the intervention of penal legislation."

A bill prepared by the National Organization was presented in the House of Representatives by Mr. McCall, of Massachusetts, and in the Senate by Mr. Patterson, of Colorado.

The Executive Committee of the National Organization was composed as follows: James H. Wilson, of Delaware; J. G. Schurman, of New York; John H. Clark, of Ohio; Charles W. Knapp, of Missouri; William E. Chandler, of New Hampshire; A. H. Stevenson, of Colorado; Norman E. Mack, of New York; John E. Lamb, of Indiana; Charles S. Hamlin, of Massachusetts; Alexander Troup, of Connecticut; Cromwell Gibbons, of Florida; John W. Blodgett, of Michigan; Frank K. Foster, of Massachusetts, Secretary, Delegate for the American Federation of Labor to the British Trade Union Congress; James H. Lynch, of Indiana, President of the International Typographical Union; James Wilson, of Pennsylvania, President of the Pattern-Makers' National League.

The membership included Governors of most of the States, Presidents of our principal universities, and members of the National Committees of both parties.

The following constituted the Law Committee: John W. Thurston, of Nebraska; Charles A. Gardiner, of New York; John T. McGraw, of West Virginia; Louis E. McComas, of Maryland; Crammond Kennedy, of Washington, D. C.; Hannis Taylor, of Alabama.

The first report of the organization was presented to the Senate by Senator Patterson on January 8th, 1907, and ordered to be printed as a Senate Document (No. 195).

Members of the organization appeared before the House Committee on Election of President and Vice-President, during two Congresses. The bill promoted by the National Publicity Organization was passed, section for section, at the last session by the House of Representatives on the eve of the Presidential election, with not a dissenting vote on the part of the majority party, and would have been passed unanimously had not the Crumpacker Federal Election bill, a measure intended to enforce the Fourteenth Amendment of the Constitution and resisted as having a political purpose and not bearing directly upon the subject of campaign publicity, been added to it. This action prevented its receiving a single vote from the minority party or its consideration in that form by the Senate.

An important feature of the New York statute, intended to secure its practical enforcement and not contained in the publicity laws of any other State, was adopted in principle by the

National Organization in framing the McCall bill as originally introduced, and provides that:

"If any person . . . or committee . . . fails to file a statement or account as above required . . . or files a statement which does not conform to the foregoing requirements . . . the Supreme Court, or any Justice thereof, may compel, by order in proceedings for contempt, such person or committee to file a sufficient statement or account. . . . Application for an order as prescribed herein may be made by the Attorney-General, District Attorney, a candidate voted for at the election in respect to which the allegations in such petition may relate, or by any five qualified voters who voted at such election."

This section of the law has already been put into operation with great benefit in the State of New York.

In discussions over the bill in Congress, our Executive Committee, in its desire to establish the principle of publicity in Presidential elections, decided to withdraw the corresponding provisions from the National bill, owing to apprehensions on the part of some Members of Congress that the United States Courts would be unnecessarily encumbered. The organization will certainly again advocate this provision in the development of this movement to establish uniformity in publicity laws, State and National.

All election laws and regulations are subject to evasions or violations, intentional or unintentional, but seldom has a first experiment under a new statute or regulation resulted in such public benefit or been so indicative of ultimate success. The purchase by secret campaign contributions of important Federal offices, at home and abroad, has been rendered more difficult, and a way of stopping it altogether has been provided. A check has been put upon the large secret contributions of corporations and individuals, with the understanding that political debts are thus incurred by party organizations. Stockholders and policy-holders no longer helplessly witness the expenditure of corporate funds for political purposes. Corporations and candidates are protected against exactions that were constantly increasing. The enormous and unnecessary campaign expenditures in recent years, affording opportunity and encouragement to corruption, have been materially diminished. It is now the accepted opinion that a contributor to a political committee has no right to secrecy. The false conception that in respect to political contributions the individual has the right to use his money as he sees fit no longer

exists in disregard of long-established restrictions upon the use of money in elections. It is now admitted that campaign-fund publicity is not an unnecessary interference with alleged individual rights, and that publicity is essential in determining the propriety of motives prompting political contributions. The difference in principle is now fully recognized, distinguishing subscriptions to charitable and other organizations having limited relations to the public welfare from those made to political organizations entrusted with important public functions, and the powers of political campaign committees thus come within the purview of Governmental supervision. The publicity of campaign contributions and expenditures, the purpose and effect of which is to influence the elector in the exercise of a public function, is therefore regarded as an effective remedy and an indisputable public right. It is now acknowledged that campaign money is public money.

Secrecy of the ballot is based upon the necessity of protecting the voter from the coercion or inducement of improper influence. Campaign-fund publicity is required as equally essential and strikes directly at the existence of such influences. This is the fundamental principle for which the National Publicity Law Organization and its New York State branch have contended in promoting the enactment of a State law and in compelling the attention of Congress to the necessity of Federal legislation. At no stage of this movement has there been any open opposition in Washington. Even the controlling powers of the House of Representatives, not desiring legislation before the Presidential election, nevertheless did, in the manner already described, bring about the passage by the House of a bill containing all the provisions advocated by our organization for publication before and after election.

The Democratic National Committee at its meeting in December, 1907, adopted a resolution recommending the enactment of a Federal publicity law and approving the work of the National Publicity Law Organization. The minority party in the House of Representatives went so far as to filibuster in behalf of the Publicity Bill, and the Democratic National Convention adopted a resolution in its platform declaring in favor of campaign publicity, which was carried into effect in the course of the campaign by publishing the contributions and expenditures before and after

election. The Presidential candidate of that party gave the movement his powerful support from its inception, appearing at meetings of the organization and before the Congressional committees in behalf of the Publicity Bill. The President-elect declared himself in its favor in the following letter dated April 30th, 1908, and addressed to Senator Burrows, the Chairman of the Committee on Privileges and Elections of the Senate:

"I sincerely believe that it would greatly tend to the absence of corruption in politics if the expenditures for nomination and election of all candidates, and all contributions received and expenditures made by political committees could be made public both in respect to State and National politics. For that reason, I am strongly in favor of the passage of the bill which is now pending in the Senate and House, bringing about this result so far as National politics are concerned. I mark this letter personal because I am anxious to avoid assuming an attitude in the campaign which it is quite possible I shall never have the right to assume, but so far as my personal influence is concerned I am anxious to give it for the passage of the bill."

Although the Republican Convention refused to adopt a resolution in accordance with that announcement, made public on the 26th of May, Mr. Taft nevertheless directed the publication under the New York statute of the receipts and expenditures of the treasurer of the Republican National Committee. All the Presidential candidates in the last election, the Republican and Democratic Governors recently elected, some of whom have belonged to the organization since its formation—Governor Hughes, of New York; Governor Johnson, of Minnesota; Governor-elect Harmon, of Ohio; and Governor-elect Marshall, of Indiana—have declared themselves in favor of National and State publicity laws. The organization has reason to believe that it will continue to have the active co-operation of such men, and will steadfastly promote, so far as it can, through its State branches, the enactment of publicity laws in States where they do not at present exist, and the amendment of existing laws, wherever necessary, in the belief that Federal and State publicity laws should supplement each other in order that campaign-fund publicity in National and State elections may be effectively and permanently established. It is the purpose of the National Publicity Law Organization, at the present session of Congress, to continue to urge the passage of the bill. The course of the campaign in respect to the publication of political contributions and

expenditures by the National Committees of the two great parties has demonstrated that, if public opinion is adequately represented in the present Congress, the measure will be passed by both Houses before final adjournment on the 4th of March.

The bill having passed the House, the procedure would be for the Senate to pass it as it was originally reported by the House Committee, without the amendment referred to. The bill would then return to the House, go into conference and possess a privilege which would undoubtedly enable both Houses to act upon it at the present short session. The fate of the bill now rests with the Senate. If the bill should fail of passage at this Congress, the efforts of the organization will be renewed at the next.

PERRY BELMONT.

IS OUR NAVAL ADMINISTRATION EFFICIENT?

BY REAR-ADMIRAL GEORGE W. MELVILLE, U.S.N. (RETIRED).

It is now just twenty-five years since the beginning of our "New Navy." In that time the total expenditure for all naval purposes, including new construction, repairs, maintenance and operation, Navy-yards, and personnel, has been, in round numbers, $1,250,000,000, or an average of about $50,000,000 a year: at the present time we are spending about $100,000,000 a year. It is, therefore, a matter of vital interest to every good citizen to know whether our naval administration is efficient and economical.

With the steady increase in the number of fine armored vessels, and the widely advertised improvement in gunnery and fleet drill, it is probable that, until about a year ago, the average layman who reads about naval affairs believed quite thoroughly that we had a fine Navy and that its administration was efficient and praiseworthy. He was all the more justified in this because all the experts, at home and abroad, were united in assigning our fleet a rank second only to Great Britain's huge navy. About a year ago, there was a bitter attack upon the design and effectiveness of our ships and also upon our naval administration, and this has been followed by articles of a similar tenor in the daily press, and finally by a discussion in this Review of naval administration by a distinguished Admiral on the retired list, who takes the ground that the system followed since 1862 is wrong and must be changed to secure efficiency.

When so many writers, anonymous and open, are making such charges, it is possible that the owners of the Navy, our whole body of taxpayers, may begin to believe them unless the other side of the case is presented—and there is, most decidedly, an-

other side. I have hesitated to take upon me the exposition of the facts, as I see them, because my active work in the Navy is over. On the other hand, I had such a long and intimate knowledge of the existing plan of naval administration through my service for sixteen years as Chief of the Bureau of Steam Engineering and, therefore, a part of the administration, that it seems very appropriate that I should discuss the question and reassure, if it is necessary, our taxpayers that the liberal sums they are spending on the Navy are being used wisely and efficiently. This service lasted from 1887 to 1903, under Presidents Cleveland, Harrison, McKinley and Roosevelt. Let me add, also, that I was responsible for the machinery of all the battleships of the Atlantic Fleet as it started out on its tour of the world, all having been designed during my incumbency.

I have designedly referred to the taxpayers of the country as the owners of the Navy, because I wish to call attention to a feature of naval administration which is, in my judgment, of vital importance but which is often forgotten—I mean the Naval Committees of the Senate and House. Congress is really the Board of Directors of the great corporation composed of the taxpayers, and the Committees correspond quite accurately to the Executive Committee of the Directors of a Company. They confer with the executives upon details, and, on their recommendation, Congress (as the whole Board) makes appropriations, changes organization, etc. Now, if the entire personnel of Congress were changed every two years, the members of the Committees would have to depend very largely upon the officials of the Navy Department for their knowledge of naval matters, although this would only mean that they would have to give much harder study to the problems presented than they now do. In fact, however, there is no such change, and some of the members were legislating for the Navy at a time when some of the loudest critics were still schoolboys. The country and the Navy are indeed fortunate in the present Chairmen of the two Committees, Senator Hale and Representative Foss. Not only have they spent years in this work, but they have made independent studies of naval affairs, so that it is safe to say that they are among the foremost experts in naval matters in the world. It is very important to have in mind the function of these Committees in their constant supervision of naval matters, and that so many of the

members have exercised it continuously for years. They come to have a pride even greater than that of the average citizen in the Navy because they can really make or unmake it, and they can justly feel that to a great extent it is their creation. This means that important events in the Navy do not occur by chance, and, above all, that naval administration has not come to its present condition without the knowledge of Congress. Indeed, the exact nature of the system is brought prominently before the Committees at every session, when the Secretary, each Chief of Bureau and often other officers, are called to explain and discuss estimates for appropriations and other matters of importance.

It would seem that this is all so elementary as to be commonplace, but sometimes it is necessary to consider elementary things in order to put matters in a clear light. My object is to point out who are finally responsible for the system of naval administration, and particularly that they are thoroughly able, through long experience and familiarity, to judge of the merits and demerits of the existing system and of any other which may be suggested as a substitute.

I believe any man whose mental calibre is sufficient to make him a reader of this REVIEW, will be enough of an evolutionist to believe and to realize that so complicated a machine as a modern battleship is a development, and that no man, however able, could by any possibility design one which in every respect was so novel as to be unlike anything which preceded it. So true is this, indeed, that improvements are only made a step at a time, and one class passes gradually into the next. Even such a change as that to the "all big-gun, one-calibre" ship which seems so radical is, after all, as has been clearly pointed out by one of our young Constructors, only an enlargement of the double-turreted monitors, the new ships having ten big guns in five turrets against their four guns in two turrets.* The introduction and development of improvements of any kind are most carefully noted all over the world, and, on the essential points—such as position and thickness of belt armor, calibre and location of guns, type and size of machinery, speed, etc.—there is substantial agreement among the designers of all navies. This was shown very clearly by the

* One vessel, the wooden "razeed" frigate "Roanoke," was fitted with three turrets, each having two 15-inch guns. But the weight was too great for the old wooden hull, and she sagged so badly that she was used only as a harbor defence ship in Chesapeake Bay.

Chief Constructor of the Navy, in the diagrams which he submitted to the Naval Committee of the Senate comparing the battleships of all the important navies class by class. This comparison showed that our ships were in no respect inferior, and in some respects they were superior, to those of other nations.*

In other words, the existing system of naval administration has, to speak only of the present, produced a fleet which is recognized by experts all over the world as ranking in the highest class as to quality of *materiel,* and we have the trip around the world to testify to the efficiency of the *personnel,* even if we had not also the enthusiastic statement of the Commander-in-Chief, on the arrival in San Francisco, that everything was in better shape than when the start was made from Hampton Roads, and that the fleet was in the finest condition to perform any duty that might occur, whether fighting or otherwise.

As further indicative of the efficiency of the existing system of naval administration, it is only necessary to call attention to the fact that this system prevailed during the Civil War and the war with Spain. Certainly, an inefficient system could never have led to the triumphant success which occurred in both those wars.

All this is not my opinion, but only a plain record of facts which are well known to all who keep in touch with naval affairs. If, then, the existing system of naval administration gives us a fleet, highly efficient both in *personnel* and *materiel,* what is wrong with it and why should it be changed? It seems to me that it is incumbent on those who desire a change to show real defects due to it—which they do not attempt. What they do is to set up a man of straw and then knock him over. The recent article in this REVIEW talked as if the policy of the Navy Department were settled by a majority vote of the eight Bureau Chiefs, and because, for a short period, three of them were line officers and five staff, that this caused questions of tactics, ordnance, etc., to be settled by men who knew little or nothing about them. Nothing could possibly be wider of the mark. I cannot remem-

* Since this was written, the results of the "Newport Conference" of last summer have been published so far as relates to criticisms of the designs of our "all big-gun, one-calibre" ships. This Conference was composed of over seventy-five per cent. line officers. By an overwhelming majority, they found all the criticisms without serious foundation and heartily endorsed the work of the Bureaus dealing with *materiel.*

ber, in my sixteen years of service as Chief of a Bureau, that the eight Bureau Chiefs were ever called together as a body to discuss or settle anything. I can testify that my opinion was never asked on matters of navigation or strategy, and I certainly never offered any suggestions on such subjects to the Secretary or any other official. It was not my work. I attended to my own duties and, as a rule, every other Bureau Chief attended to his, each keeping clear of the other's work. Any exceptions that occurred were due not to the system but to individual ambition, and that restlessness which seems to drive some people into the affairs of others.*

The recent article in the REVIEW had this statement: "The five non-combatant Admirals naturally regard questions of naval efficiency from the non-military point of view; the Admirals of the combatant class from the military point of view." This presents the same curious attitude towards an important body of naval officers which has been characteristic of a certain class for many years. How any man who is on a ship in line of battle, taking his chances of being destroyed, can be a "non-combatant" is hard to see. The assumption, of course, is that a man who is not actually shooting a gun has no personal interest in the outcome of the fight. This, of course, is absurd and, as a matter of fact, the distinction which it is attempted to draw and the depreciation of brother officers is most unwarranted. The article also attributes to those so-called "non-combatant and non-military" Admirals a tremendous influence with Congress, so great, indeed, as to be able to override the wishes of the President and the Secretary of the Navy. To any one who has spent his life in the Navy, as I have, this is really little short of comical. A request which the staff officers, of whom these "non-combatant and non-military" Admirals are the head, have repeatedly made has been that they receive recognition of the fact that they are members of the military organization by having, in addition to their professional titles, titles indicating their grade in the organization. Notwithstanding their alleged enormous influence, which can over-

* This is with respect to matters of general naval policy. As far as general design of *materiel* is concerned, this is under the general supervision of the Board of Construction, which is composed of the chiefs or representatives of the Bureaus of Ordnance, Equipment, Navigation, Construction and Repair, and Steam Engineering. Up to 1899, this meant three line and two staff officers. When the engineers became line officers, it made the proportion four line to one staff.

ride the wishes of the President, they have not been able to secure this relatively small right.

As an actual matter of fact, I feel quite confident that the staff officers of the Navy, if asked for their candid opinion, would say that the most influential naval officer by far is the Chief of the Bureau of Navigation. That official is charged with the general administration of affairs connected with the *personnel* and the movement of the fleet. All orders assigning officers to duty are made out in his Bureau and under his supervision; and, although the courtesy is paid the staff Bureaus of having their Chiefs nominate their officers for duty, the actual preparation of the orders is carried out by the Bureau of Navigation, and the Chief of that Bureau in this way does exercise a very real supervision over the entire *personnel* of the Navy. Further than this, from the very nature of his duties, he is brought into much closer touch with the Secretary than any other Bureau Chief, so that, assuming his natural ability to be anywhere near that of most of the incumbents of that office, it is inevitable that he will become the Secretary's closest adviser and the one on whom he relies more than any other. Chiefs of the other Bureaus are, as a rule, consulted only about their own specialties and come in touch with the Secretary with respect to them, while the Chief of Navigation has such an exceedingly broad scope of work that he not only is supreme in this work, but is extremely likely to be the trusted confidential adviser of the Secretary in all matters.

As showing the great power of the Chief of Navigation, those who are familiar with naval affairs will remember the controversy, somewhat over a year ago, about the command of a hospital ship. The Chief of Navigation at the time opposed the decision of the President to place a surgeon in command of this ship so strongly that he absolutely refused to issue the order, although he knew it was the President's desire, and finally resigned his office rather than issue the order when he received a positive order from the President to do so. It was a rather curious commentary on naval discipline that the officer who, under the Secretary, is specially charged with the maintenance of discipline, should himself refuse to obey an order of the Commander-in-Chief.

There is a further aspect to this matter of the influence exerted on the Secretary and on Congress by naval officers. From

the very nature of things, the number of officers of high rank in the line of the Navy on the active list greatly exceeds that in the other branches of the service. In Washington at the present time there are, in addition, about thirty retired Rear-Admirals. Cultured and agreeable men of the world as they are, and holding a high social as well as official position, these men exert an enormous influence. To assume for a moment that the small contingent of so-called "non-combatant and non-military" Admirals could outweigh the influence of this large body of distinguished men, so as to persuade Congress to turn down a desirable proposition which had the recommendation of the President and the Secretary of the Navy, is to my mind the most absurd thing in the world.

The real reason for the failure of the effort to change the organization of the Navy Department is not the opposition of the "non-military" Bureau Chiefs. I am not in their counsels and do not know what they have done, although, knowing some of them intimately, I doubt very decidedly if they have ever made any effort against it. The movement for a change has failed, as it ought, because its authors have not been able to persuade the Naval Committees that the change is desirable. My long service brought me frequently before these Committees, and I always found them willing to give careful consideration to recommendations which were backed by sound reasons and would stand careful investigation. The habit of practically autocratic command doubtless develops some valuable traits of character, but conciliation and exposition are not among them. The man who always has his own way naturally loses the ability to convince those who are not his subordinates, and are not in awe of him, that his views are right. Indeed, there is danger that he may fall into the habit of thinking that a plan is meritorious just because he wants it. He loses the power of seeing that there are two sides to a case. It really seems as if something of this kind is true in the present instance. It is interesting as illustrating this well-recognized characteristic that, when the House Naval Committee asked Mr. Roosevelt to send some members of the Personnel Board to answer questions about its report, he did not select officers who had been in command for years but chose the two junior members. One of them was a young engineer, and it was repeatedly stated by different members of the Committee that he was the best wit-

ness they had ever had before them, because he could give a convincing reason for every answer he made.

When the criticisms of the existing system of naval administration are analyzed to their absolutely essential features, it seems to me that they concentrate into one point—the demand of certain line officers that the line of the Navy shall be put into such a position as to absolutely dominate it in every particular by such an organization as will make it impossible for any Chief of a Staff Bureau to go directly to the Secretary. As I believe I have shown, there is absolutely nothing in the talk about a majority of the Bureau Chiefs being staff officers, so far as that fact affects general naval policy and the action of the Secretary; and the preponderating influence of the Chief of Navigation is so great that it is safe to say that no reasonable proposition which he submits to the Secretary will ever be rejected. It would appear, therefore, that the essential purpose of the demand for a change is simply to confer absolute and complete control of every detail of naval administration upon line officers.

In the article in the REVIEW to which I have referred, much emphasis is naturally laid upon the point of preparation of plans of campaign, etc., as it is ostensibly to provide for this that the change in the system of naval administration is urged. It would seem that this is one of the functions of the Bureau of Navigation, which includes in its purview the movement of the fleet. There is no limit to the number of officers who may be ordered to duty under that Bureau, and its Chief is free to select the ablest officers of the entire service for this duty. He could, in fact, with the approval of the Secretary, exercise every function which a General Staff could fulfil, except one—control over the other Bureaus. To a certain extent his present authority does exercise a considerable control of this kind, for it is the Bureau of Navigation that decides which ships shall be sent on particular duty, and the Bureaus that deal with *materiel* have to conform to the programme of Navigation. I mention this only because the other article charged certain conditions which it considered defects to the Bureau System, while it seems to me the facts are that, if blame is chargeable to any one, it should be laid on Navigation, which has full authority, under law and regulation, to do these very things.

There is a great temptation to one who has spent over forty

years on the active list of the Navy, during most of which there was anything but good feeling between the different branches of the service, to become specific and point out instances of injustice; but I have tried to make this article impersonal as far as possible and to make it a discussion of systems and not of individuals. I will say, however, that the desirability of harmony certainly appeals to me most strongly, and I can truly say, as a result of all my experience, that the staff officers, of whom I was one until a few years ago, were most sincerely desirous of harmony. Who is responsible for the lack of it? This very article, to which I have referred, with its strictures upon a large class of officers, calling men who are a vital element of the Navy "non-military and non-combatant" is an excellent illustration of a main cause of the lack of harmony and shows clearly who is responsible. Fortunately for the credit of the service, the general public has no idea of the indignities which have been inflicted, time and again, upon the staff officers of the Navy by some—I am glad, indeed, to say not all—of those who would restrict to themselves the term "military" officers. Retaliation is simply impossible; the only recourse is an appeal for redress to the common head, the Secretary. It is this constant spirit of arrogance and domination by a relatively few very aggressive men that causes the lack of harmony. In this connection it is very noteworthy indeed that the most important legislation for the Navy which has been enacted in many years—namely, the Personnel Law of 1899—was a marked example of how ready Congress is to do things for the Navy when the officers are agreed in their recommendations. The harmony which did undoubtedly exist at that time was largely due to the tact and patience of Mr. Roosevelt, when Assistant Secretary, who brought about the appointment of the Personnel Board and through its sessions and deliberations led to the formulation of the report which was substantially the law as it finally appeared.

Let me say in conclusion that the last thought in my mind, in the preparation of this article, has been opposition to any demand by the line officers of the Navy for any reasonable modification of existing methods which will render their part of the naval administration more efficient. I have always believed, and my sixteen years' experience in the Navy Department confirmed the view, that, so long as it did not mean interference with the

legitimate work of others, it was a wise thing to grant the request of every zealous and progressive Bureau Chief for anything which would in his judgment increase the efficiency of his work. I feel very sure that the staff officers of the Navy do not dream for a moment of asking to be consulted about matters of strategy and tactics and similar things, which are not within their purview. They are willing that the line officers should have anything they want which will increase efficiency along these lines, provided that it does not relegate them to a distinctly inferior position and one where they would be prevented from having ready access to the Secretary.

Finally, I think there can be no doubt on the part of unprejudiced persons that the opinion generally prevailing throughout the country, that our naval administration is thoroughly efficient, is fully justified; and if there are any who have been disturbed in this view by the recent criticisms, I sincerely trust that the facts which I have presented will reassure them and that they will feel that the system of administration of naval affairs is entirely satisfactory and efficient and is being carried out by men of devoted patriotism.

GEORGE W. MELVILLE.

THE ELIZABETHANS AND MR. SWINBURNE.

BY F. V. KEYS.

In spite of the formidable bulk of commentary that four centuries of uninterrupted human reflection have accumulated about the name of Shakespeare, there is no figure in the republic of poetry before whom we maintain so persistently the attitude of interested inquiry. Names memorable and majestic appear in the annals of Shakespearian criticism. Yet their contributions propose and answer questions which, though interesting and important to them, hardly touch upon the problems with which our individual temper and time are most pressingly concerned. In other words, Shakespeare, like every other significant human phenomenon, must be interpreted afresh for each successive epoch of students; and to-day, more than ever before, it is to the study, minute and inspired, of the poet's age, of its spiritual values, that we look to give us again, in terms we can understand, his criticism upon that world, as re-created in his work.

It is only the reader unacquainted with the genius of Mr. Swinburne that will look for such a critical contribution in "The Age of Shakespeare," the latest volume of his re-edited works. A vast amount of admirable material is compressed within the covers of the book. It is, indeed, just this richness in knowledge, intimate and extensive, in enthusiastic appreciation, in power of splendid, imaginative expression, that awakens in the reader the livelier regret for the absence of the power of lucid synthesis which should inform with order this world, of a profusion, as it now stands, almost chaotic.

"Honest I can promise to be, but not impartial."

What Goethe's eminently penetrative and critical genius suggested as a warning, Mr. Swinburne flings as a challenge to his readers. His partialities have been his pride, and no less so the

unflinching directness of his honesty. With him, nothing in life or in art has ever been matter for suspension of judgment. He has had but a single verdict to give, the instantaneous one of the senses. Whether or no these are mediated by reason, is to him a matter of supreme insignificance. For any check on the rising tide of an emotional reaction he has only suspicion and contempt. To examine an emotion in the light of its causes and results, to discriminate in favor of this or that as furnishing finer and more enduring stuff for experience, would be for him a waste of time better employed in increasing the mass and variety of the weave. It is in the interest of an unimpeded manifold play of emotional reactions that he has discarded dogmas theological, political, social, and these he uses again as fuel to feed his fiery contempt, his resentful indignation. His generous temper, his robust humanity respond energetically to all the great emotional movements of his time, national and international, that make for freedom; for the sake of the variety and intensity he would prefer, one feels, a number of patriotic skirmishes before a single humanitarian march. To disease, when it comes his way, he reacts with an equal sympathy, provided always its manifestation is in the grand style. Mere intensity, mere energy is enough to extinguish for him the distinction between the normal and the pathological.

With so vast a temperament, so slight a perspective for values, Mr. Swinburne brings to the study of the Elizabethans both singular aptitudes and singular disabilities. He is akin to them by virtue of a deeper affinity than that of a poet for his fellow craftsmen, and his report of them is correspondingly enlightening and perplexing. It is, indeed, granted the change of phrase and emphasis inevitable after the lapse of three centuries, what might be, could they speak to us, their report of themselves. That it is couched in terms of "praise of dead men divine" is only another echo from the circle that never shunned hyperbole in its dedications.

That Mr. Swinburne approaches his subject in any but a "modern" spirit (either in the Elizabethan or Victorian sense of that word) is clear from the prefatory sonnet to the memory of Charles Lamb. Here once again the younger acknowledges his debt of gratitude to the elder critic by whose "grace" he himself first "communed with the gods" who trod the stage that

trembled beneath the footfall of their master. Wherever Mr. Swinburne permits himself to dissent from an estimate formulated by Lamb, he approaches nearer than did Elia to taking the Elizabethans at their own rating. So far as the purpose is concerned of achieving a reasoned estimate of this body of our literature, either as art, or as a human document, for aught one finds to the contrary in this volume, no single advance in man's knowledge of himself or of the universe about him need have taken place between the year 1808, when Lamb published his "Specimens" and notes, and the issue of these essays, the majority of which have appeared at intervals during the last thirty years. For purposes of literary comparison, which is fully and often most happily employed, English literature might have ceased at the date 1850, while Russia, Germany and Scandinavia might never have existed on the map of Europe. Eloquence is not more significant than these silences.

As a record of personal tastes and sympathies, Mr. Swinburne's contributions are alone worthy to take rank with Lamb's in the same field: no living writer on these dramatists has an equal claim upon the generous acknowledgment of younger readers, in whom a reperusal of these studies revives memories of eager gratitude to their robust, impetuous, imperious guide through what he himself describes as "this wildest and most fruitful province in the poetic empire of England." His contempt for "sciolists," his scorn for those who "trim the level flower-plots or preserve the domestic game of enclosed and ordered lowlands"; his flouting of "German" and academic "sagacity"; his hoaxing of the unwary who "flounder in the boggy and barren province of conjectural hypotheses"; his swift impatient correction of a printer's blunder that had escaped the duller eye of plodding editors; his humility of deference to what he recognized as genuine scholarship and acumen; all these were so many covert challenges to follow him where "the weeds and briars of the underwood are but too likely to embarrass and offend the feet" of the timid sort of pedestrians. What matter that he dogmatized intolerably on that most debatable of all points, taste, bending to his own uses the vocabulary of criticism, to establish "irreversible" verdicts "for all time"? Against his temperament was pitted that of the reader, and if he dogmatized, it was because he knew and loved his subject, which gave him that note of au-

thority, "the soul," says Milton, "of all teaching." His tolerance, or even occasional commendation, of the intolerable, had its uses when weighed against the ignorance of those censors who "would bring upon our minds a famine again, when we shall know nothing but what is measured to us by their bushel."

Mr. Swinburne's method of literary portraiture is to return again and again to the picture on his easel, revealing with swift light touches the inward expressiveness of the features, their latent affinities and distinctions over against others of their kin. Constant *rapprochements* of one figure with another scatter happy and striking definitions of any single poet throughout the whole tract of this volume, as they extend beyond it through the series of as yet uncollected studies. The exquisite portrait of the muse of Dekker is placed beside that of Marston's, who "has not the gypsy brightness and vagrant charm of Dekker's, her wild soft glances and flashing smiles and fading traces of tears"—a passage that contains more of inspired truth and poetry than any or all of the series of stiff "Sonnets on English Dramatic Poets." Put beside this the rendering of "the man Dekker, of gentle, modest, shiftless and careless nature, irritable and placable, eager and unsteady, full of excitable kindliness and deficient in strenuous principle; loving the art which he professionally followed, and enjoying the work which he occasionally neglected." The sympathetic unity of this double portrait of the poet and his art is no less than exquisite. Struck with fine firmness is the medal of Marston, "the friend and foe of Ben Jonson, the fierce and foul-mouthed satirist, the ambitious and overweening tragedian, the scornful and passionate humorist," and his muse, the "strong woman with fine irregular features, large and luminous eyes, broad intelligent forehead, eyebrows so thick and close together that detraction might call her beetle-browed, powerful mouth and chin, fine contralto voice (with an occasional stammer), expression alternately repellent and attractive, but always striking and sincere."

From the clash of extremes in judgments of detail there emerges a soundness of instinct that presides over the final ordering of these dramatists in their permanent ranks. It is this instinct that admits Dekker, with Shelley and Blake, into the choir where Shakespeare sings; that recognizes the affinity of Marston, in spite of his obvious propriety in "the regiment of which Jon-

son is colonel" with "that brighter and more famous one which has Webster among its captains, Dekker among its lieutenants, Heywood among its privates, and Shakespeare at its head"; and that assigns to Webster within that regiment the place closest to its chief.

Less convincing are the judgments that recognize in Middleton "the graver, loftier genius of a man worthy to hold his own beside all but the greatest of his age"; of Tourneur, that "more splendid success in pure dramatic dialogue has not been achieved by Shakespeare or by Webster than by Cyril Tourneur in his moments of happiest invention or purest inspiration." It is around such judgments as these last two, based on the scenes Mr. Swinburne sees fit to bring forward as his witnesses, that there closes in the real interest, the real question, for modern criticism, of these plays.

For a "splendid success" in pure dramatic dialogue involves more than that of the lyric, which like a wandering air, seals its perfection when it consummates the mood it stirs in the listener. Supreme dramatic dialogue justifies itself by the fact that it is proper, or rather inevitable, to the persons who voice it, at the precise moment when they do: and this again must justify itself by everything concerning the speakers which the dramatist has previously revealed. Of all this, again, we judge by referring it to our experience, of ourselves and of our fellows. Remote as this experience may be from the situations and the sufferings on the stage before us, it is yet the sole touchstone, and the one we constantly employ, to distinguish whether the humanity in the play is genuine or counterfeit. Of course this, true of serious drama only, is pre-eminently true of tragedy, and that for reasons too plain to require to be enumerated. It thus becomes impossible to rule out human fitness as a requisite of all great dramatic dialogue. Drama derives its being, as it borrows its name, from those deeds of men through which personality, character, plunges beyond the limits of the individual into the unsounded sea of multitudinous social reactions. The instant an audience or a reader perceives that the dramatist has tampered—to any end whatsoever—with the universal law, mysteriously latent, that governs man's conduct as immutably as any law that chains in sequence of effect and cause the universe about him, the pity and terror which only humanity

can evoke in humanity suffers a "chaotic extravagance of collapse."

The phrase is Mr. Swinburne's. It describes the catastrophe which "brings headlong to a close" a set of persons whom the dramatist could find no other means to dispose of. "Those," he says elsewhere, when deprecating the "promiscuous sweep of the drag-net of murder" at the close of another play, "those who object on principle to solution by massacre must object in consistency to the conclusions of *Hamlet* and *King Lear*." He seems to overlook the fact that in neither of these plays is murder offered as a solution: they confront us with death as the ultimate enigma of life. But it is not at the close, it is in the very opening and in the critical midst of a play that the impudent hand of the mere marionettist is seen obtruding with what to the eye familiar with its manœuvres is the all but avowed object of securing a meretricious intensity of response at the theatrical "moment." It is this crime against what Mr. Swinburne justly points out as the sole virtue society at large demands from the artist—his artistic self-respect—which forever loses him the ungrudging ear of posterity. As instances of Elizabethan guilt we remember the obliging conversion of Bellafront, and perversion of Hippolyto, in the two parts of *The Honest Whore;* the sudden active depravity of Bianca in *Women Beware Women,* as unmotived as the lie—monstrous in such a woman—of Lady Ager, upon which turn the "heroism" and "honor" of *A Fair Quarrel:* to Middleton also belongs the crime of subjecting to defilement a woman who is portrayed as driven to the extremity of murder no less by her abhorrence of an enforced marriage than by her passion for another lover. The atrocious ingenuity of cruelty that conceived and executed the main plot of *The Changeling* relegates it, notwithstanding Mr. Swinburne to the contrary, to the province of the student of human pathology.

How fatally this purely artistic defect in drama may play havoc with the purely human values (in drama they are indeed identical) is again strikingly shown when we turn to the "gentlemen" of Heywood's English tragedies. In *A Woman Killed with Kindness,* a no less impudent but more amusing device—that of suddenly vitalizing a waxen lay figure in order to have the pleasure of killing it—secures an affecting closing scene of domestic masculine magnanimity. For Mr.

Swinburne the character of Frankford dignifies the play with "mere moral power and charm." What, we ask, becomes of the nobility of a husband who prefers to condemn to the lingering death of a mitigated sort of solitary confinement, rather than to kill outright, a wife whose virtue has been sacrificed by the dramatist, without the slightest connivance on her part (Mr. Swinburne admits that "she is never really alive till on her death-bed"), in order to furnish this "gentleman" with an occasion adequate to prove his "kindness"? After Mr. Swinburne's awkward admission, one is baffled to understand J. A. Symonds's elaboration of comment on this scene: "Each question asked by Frankford is such as a *wronged husband* has a right to ask." Apart from the fact that it is Heywood, not Anne, to whom questions should be put, we may note in this comment an unpardonable solecism, which Symonds repeated after Heywood. A suspicion of legal taint spoils, for some readers, any relish for this play; such may catch the laughter of a certain comic muse, who, afar off, takes notes on egoists.

After such tampering with the law that weds character to act, what becomes of the "supreme dramatic dialogue" of the Elizabethans? Their spendid outbursts of "poetry," which render a mood with matchless imaginative power, are, dramatically speaking, but "hollow graves" whose "walls yield no echo" in human character. Such outbursts as Mr. Swinburne quotes in this volume frequently proceed, as he admits, from the lips of ruffians incapable of conceiving the meaning of the "lines" a hopelessly "undramatic" (in Hebbel's sense) genius compels them to utter. The lines

> "O God! O God! that it were possible
> To undo things done; to call back yesterday!
> That Time could turn up his swift sandy glass
> To untell the days, and to redeem the hours!"

do not belong in Heywood's world of "gentlemen"; but rather to that tragedy, blindly enacted at Cyprus, of the human heart betrayed. It is in the light of this contention that Mr. Swinburne's proof of the dramatic power of Tourneur must be scrutinized, no less than the Shakespearean scenes with which he sees fit to suggest, by comparison, Tourneur's possible superiority.

The splendor and the infamy of the really living figures of the Elizabethan stage,—whose perfect representative is the White

Devil herself,—lie in their mistaking for the human aim, the aim of blind Nature. "Nature's aim is functioning: man's is happiness." With one exception, their dramatists followed the lead of Marlowe, not perceiving that Shakespeare had turned aside. Most of them never knew their mistake. Marston had intellect to grasp it negatively and caught therefrom inspiration sufficient to redeem, for all intelligent readers, the coarseness of his expression. Webster was great enough to feel it, and caught thence his dark despair. Not twice only, but thrice, does he express his sense of the "mist" that hangs about his "wretched eminent things." With them he never tampered, leaving it to the blind forces he apprehended as at their work about them to destroy them by

> "Such a mistake as I have often seen
> In a play."

Surely this is Webster's comment on *Othello*. He, no more than Shakespeare, ever thought of insulting his audience by offering such destruction as a solution. Shakespeare alone, by dint of sheer intellect and vast patience, worked out from experience itself the basis of a law of conduct at once natural and human. In him, for a time, thought itself was the supreme passion, and the object of that passion was man's life. Sole of his age he saw himself, and his contemporaries, "not merely as they appeared to themselves, but as they appear to reason." He alone felt, in Protestantism, not its protest only, but the affirmation which, as a theological movement, it was blinded to. In this sense, as Hebbel, writing in 1844, so justly contends, his drama stands alone with that of Athens in achieving the function of the "summit of the arts": "to formulate for us the relation of man, and his social condition, to the Idea." Whether, in this connection, Euripides "corrupted art by his sophistry as Socrates corrupted youth by his" is an opinion of Mr. Swinburne's at least open to debate.

Among his Elizabethans, Mr. Swinburne stands like some Hebrew prophet of the Old Testament among his people, alternately tender and terrible, always in close touch with his race and age. Of the records of both peoples and epochs it may be remarked, for praise and dispraise, that they do not flatter mankind.

F. V. KEYS.

THE OPIUM QUESTION.

BY BRITANNICUS.

THE most fascinating and portentous movement in the world of to-day is, surely, the renaissance of China. China is not only changing, but changing fast. We are witnessing the foretold and inevitable sequel to the Boxer rising of 1900. The West, in my judgment, has not yet taken the full measure of that event. It has still to acknowledge it as one of the decisive landmarks in human history. It has still to realize that from that memorable clash of Occident and Orient there emerged a spirit which is destined to transform the polity, the energies, the material power, the social consciousness and the economic ambitions of four hundred million people. China finally learned from the Boxer outbreak and its consequences that Western aggression could only be resisted by Western methods, and that Western methods could only be acquired by the adoption of Western learning. It had another and not less momentous effect. It did more even than the war of 1895 to cure the Chinese rulers of their contempt for Japan, to make them realize Japan's efficiency and the force of her example, and to lead them to an understanding of the many and essential bonds that link the two leading nations of the East. All the history of the past eight years has confirmed those results and intensified them. The issue of the Russo-Japanese war provided China with a further and conclusive object-lesson of what can be accomplished by a Power that masters the processes and applies the results of Western science; and it forced a fresh confession of Japanese prowess and prestige. Again, the Anglo-Japanese Alliance, by its guarantee of the *status quo* in China and throughout the Far East, has made it certain that the era of Kiao-chau stratagems is over, and that all schemes of dismemberment and partition may as well be thrown at once

into the diplomatic waste-paper basket. For the first time in more than half a century China's international position is secure; and the period of her external security coincides with the resurrection of old ambitions and the stir of new internal forces.

We have had already some inkling of what such a conjunction may be expected to produce. However Pekin may regard Tokio, whatever differences may arise between the two Governments in the final settlement of the Manchurian question, it is plain that throughout the eighteen provinces Japanese influence within the past few years has made enormous strides. Japanese travellers, commercial agents, teachers and drill-sergeants are to be found in the remotest parts of the Empire. The sons of the Chinese nobility and ruling classes are being educated in Japan by thousands, and return home fired by her example and emulous to repeat it. The best of the native Chinese papers are in Japanese control, and the amazing growth of this native press is in itself one of the most significant of the phenomena of revolution. By means of it China is being intellectually irrigated, and a channel of communication is for the first time being opened between the Chinese masses and the modern world. And, in many other ways, it is clear that China is bent upon borrowing the accessories of the Occident for the preservation of the fundamentals of Oriental life and polity. We have seen the historic examination system thrown open to modern learning. We have seen the Provincial Viceroys founding schools and colleges with an almost American avidity. The missionary schools were never better patronized; the translations of Western literature never circulated so widely. Chinese students have been encouraged by Imperial edict to complete their education abroad. The last proclamation of the Dowager Empress emphasized anew the advantages and necessity of a Chinese Parliament. Provincial armies have been multiplied, and a more than promising beginning has been made with the creation of a wholly national force. In the to-morrow of the political calendar China will have at her disposal an army of half a million men. She is feeling her way, moreover, towards a handier and more efficient system of government and towards a greater unity and centralization in her administrative framework. There is arising, too, something that might almost be called a cult of Youth. With few exceptions the principal Viceroys are men in the prime of vigor, and nearly all the important Secretary-

ships are in the hands of young Chinamen who have lived and studied abroad and who return home full of zeal, if not always of practicality, keenly alive not only to the defects of the Chinese State, but to the outrages that have been inflicted upon their country by the Occident, and clamorous for reforms that will enable China to meet and vanquish Western aggression with Western weapons.

There is, of course, another side to all this, and fulfilment at many points is far from following promise. The forces of reform are scattered; mountains of inertia, corruption and indifference obstruct their advance; and the fundamental need, if China is ever to stand alone, of a thoroughgoing administrative and financial reorganization does not as yet appear to be adequately appreciated. But no one can doubt that a new, national, self-assertive and independent spirit is at work in the Celestial Empire, and that it heralds in a *risorgimento* that will be mighty and protracted. "China for the Chinese" is at last coming to be something more than a cry *pour rire*. Proclaimed by an awakened Empire, and reinforced by the resources of Western learning and materialism, it is a policy with which the world will have to reckon. It may, and unless the West remodels its dealings with China on a basis of better manners and more justice, I fear it must precipitate another hideous conflict between Orient and Occident—a conflict which will find China infinitely better organized and prepared than ever before. But in any case we may expect to see the new spirit taking shape in many forms. Exclusive concessions to foreigners of mining rights and railroad franchises are likely to grow rarer. Having realized the advantages of rapid communications, the Chinese seem resolved to keep them as much as possible in their own hands. Missionaries henceforward may find it increasingly difficult to secure for their converts any special civil or legal privileges. The near future may see the extra-territorial grievances sharply raised and Chinese sovereignty asserted over ports and waterways and settlements now under foreign control; and whenever new ports are thrown open to the world's trade it is a moderately safe assumption that China will insist on policing them herself. The ultimate and conscious aim of the transformation that is in progress is, in short, to make China mistress in her own household, to recover those rights and privileges which her weakness alone has

led her to forfeit, and to secure herself for the future against the insolence and rapacity of the Occident.

But, of all the tokens of change and regeneration that China presents, by far the most affecting and momentous is her declaration of war on opium. To weld that vast and disjointed Empire into a co-ordinated whole; to apply herself to the science of the Occident as the only effective cure for her age-long helplessness; to strengthen the growing instinct and capacity of self-preservation—that in itself is a programme of almost incredible magnitude. But, compared with the moral conquest that China has set herself, it is as nothing. In attempting to eradicate a national habit that can only be overcome by the simultaneous sacrifices and sufferings of millions of individuals, the Chinese Government is addressing itself to a task such as no other Government has yet ventured to essay. Neither in kind nor in degree is there any parallel for the undertaking on which she has embarked. It is as unique as it is inspiriting. With all its enlightenment and increasing sensitiveness to the paramount claims of national well-being over the privileges of vested interests, Western democracy has produced no spectacle so profoundly moving as the struggle in which China is now engaged to free herself from the toils of opium-smoking. It is a struggle which cannot be won, as Great Britain abolished slavery, by the simple expedient of voting millions. Still less can it be won by mere executive decree. If it is to be carried through to a happy issue it can only be by the force of an aroused public conscience fortifying the efforts of countless atoms of humanity to redeem themselves. Such an endeavor on such a scale is, as I have said, without precedent in history. Compared with it our little temperance movements are the puny wavelets of a summer sea. Four hundred millions of people are grappling with one of the most fatal and leechlike of vices in a resolute attempt to crush it under. In that fact alone there is an irresistible appeal to the compassion, sympathy, admiration and assistance of mankind.

It was in September, 1906, that a brief Imperial decree appeared in the "Pekin Gazette" commanding that within a period of ten years "the evils arising from foreign and native opium shall be equally and completely eradicated," and ordering the Government Council to frame such measures as would put an end to the consumption of the drug and the cultivation of the poppy.

Two months later the regulations devised by the Council were approved and published. They were drawn up in eleven articles. The first deals with the restriction of the cultivation of the drug, enumerates the provinces in which it is chiefly grown, and enjoins on all Governors-General and Governors to have accurate returns made of the acreage under poppy cultivation, and compel the cultivators to diminish the area of cultivation by one-ninth each year until the production entirely ceases at the end of nine years. Infringements of the rule are to entail confiscation of the land, and rewards are offered to officials who succeed in putting an end to the cultivation of the poppy before the time specified. The second and third articles are concerned with measures for reducing the consumption of opium by issuing licenses to smokers, without which no one will be permitted to buy opium, and by instituting punishments for those who persist in smoking after a stated time. After estimating that between thirty and forty per cent. of the people—that is, about 100,000,000—are addicted to the opium habit, the Articles make a distinction between officials and persons of high rank, who will be dealt with very severely; the lower classes, whose treatment will be less strict; and persons of all classes over sixty, in whose case the question of giving up the habit is not to be pressed. The licenses issued to consumers will prescribe in each case a time limit within which the vice must be abandoned and will also fix the amount of consumption, which must be diminished by twenty or thirty per cent. annually. The registration and rigorous inspection of these licenses must be enforced, and no fresh licenses will be granted after the first registration. The names of smokers of the lower classes who are not cured of the habit at the end of the specified time will be posted in a public place, while official offenders will be deprived of their offices and graduates of their diplomas.

The fourth and fifth articles relate to opium shops, and a distinction is drawn between opium dens, which are to be compulsorily closed within six months, and ordinary shops, which are to be registered, kept under observation, and gradually done away with during the time fixed for the abolition of the drug. No shop will be permitted to sell opium to any person who does not produce his license; no restaurant or eating-house may provide opium for its guests or allow them to bring opium appli-

ances with them. A return of annual sales is to be made, and any shop attempting to continue in the trade after the expiry of the time limit will have its goods confiscated and be liable to a fine of twice their value. The sixth and seventh articles discuss the preparation of remedies for the cure of the opium craving; their sale at a fixed price or free distribution; the establishment of anti-opium societies, and the formation of an enlightened public opinion on the subject. The eighth article charges the local authorities with the duty of leading the movement, giving effect to all provisions regarding reports, inspections and licenses; inculcates the necessity of personal attention to these matters; and severely forbids any exactions on the part of underlings. The ninth article prohibits the smoking of opium by officials of high rank. A number of such persons are enumerated who must solicit the permission of the Throne to be allowed to give up the habit within a fixed time or, in default, must lose their post, if an official, or have their rank pass on to the next in succession, if a hereditary noble. For all other officials the time limit is six months. Teachers, scholars, officers and men of the army and navy, if opium-smokers, are to be dismissed within three months. The tenth article deals with the negotiations which are to be entered into with Great Britain and the Governments of other opium-importing countries, for the purpose of insuring that the import of foreign opium shall decrease *pari passu* with the decrease of the native drug, and shall cease entirely at the end of ten years. It also forbids the importation of morphia, or instruments for its injection, except for medical use. The eleventh article provides for the issue of Proclamations promulgating the Regulations for general observance.

Thus the anti-opium campaign was launched. Several subsequent edicts have emphasized the determination of the Central Government to further its progress. Edicts, however, are not self-enforcing, and the Chinese, the most democratic of peoples, decide for themselves how far the example or wishes of Pekin are worth complying with. In no country are the provincial Governments so independent of the central organization or so apt to choose and keep to a line of their own. In no country is public opinion so emphatically the measure of the practicality of any and every Imperial decree. Less, perhaps, in China than in any other land is it possible for the Government to outrun the

average sentiment of the masses. On the other hand, the Chinese are a leader-following people and the peasantry, especially, respond readily enough to the initiative of the local officials and gentry. The anti-opium movement, therefore, could only succeed if it were backed up by a strong and sustained popular approval and if the influence of the mandarins and the educated classes were steadily exerted on its behalf. But even with this support it was clear from the outset that the task of supervising and diminishing the cultivation of the poppy, of closing the opium dens, of registering the smokers, of preventing smuggling, of safeguarding against the danger of driving the vice underground without suppressing it, and of devising ways and means of compensation to the growers and traders, presented enormous difficulty. Another and not less serious obstacle in the path of reform was the obstacle of finance. An annual revenue of something like $32,500,000 is raised from the taxation of native opium. Of this sum only $8,750,000 reaches the Central Government, the remainder being retained by the provinces. It is altogether typical of China that no proposals have even yet been formulated for making good this loss of revenue. The Central Government has simply not troubled itself about the matter. The provincial authorities, on the other hand, have been obliged to take it into account, and much of the apathy they have shown in carrying out the edict of 1906 is due to the fact that energy is the equivalent of dislocated finances.

On the whole, however, more has been accomplished, though necessarily in a haphazard and desultory fashion, than might have been expected. There can be no doubt that the sentiment of the masses was overwhelmingly on the side of the reformers, nor does that sentiment appear to have appreciably weakened. The effect given to it has not, however, been equally uniform. The rules and regulations issued by the provincial Viceroys, though usually tending in the right direction, have displayed an endless variety, have been inadequate in some cases and either not enforced or disobeyed in others. In many towns there were scenes of great enthusiasm when the opium dens were closed and sealed and bonfires made of the pipes. Free dispensaries were opened for the cure of the opium habit, medicines were distributed gratis, vast meetings were held to strengthen the popular fervor, anti-opium leagues were founded, the Central Government dismissed two

high officials for their failure to give up the vice, and in many provinces the area of cultivation was diminished. In other districts, on the other hand, little or nothing has been done; the registration of smokers has been lax; Viceroys have even urged their people to plant the poppy for the sake of revenue; the extra taxation of opium has driven the people to morphia or drink; the anti-opium pills, themselves containing the drug, have simply changed opium-smoking for opium-eating; and the indifference of the local authorities or their anxiety to preserve one of their main sources of revenue has made the Edict of 1906 almost a dead letter. Perhaps the most accurate review of what has been actually achieved is to be found in the report of Mr. Leech, the Councillor to the British Legation in Pekin, which was presented to Parliament a little over two months ago. Mr. Leech notes that the two most noticeable features of the campaign so far have been the continued interest and energy shown by the Central Government and the growing apathy of the provincial officials and their lack of sustained effort to eradicate the evil. "Generally speaking," he says, "smokers do not take out licenses. Dens, though officially closed, are in many cases surreptitiously reopened. Opium shops are only spasmodically inspected, while Anti-Opium Societies are gradually dying a natural death from lack of funds or interest or both." The chief reasons for this apathy are that so many public officials are still addicted to the drug, and that no solution of the revenue problem has yet been attempted. On the other hand, there are several Viceroys, in the coast provinces especially, with sufficient zeal and force of character to carry out the Imperial Decree, and where this is the case they are "almost sure of support from the people." The dread of increased taxation, fines and destruction of the crop and the exhortation of the officials have resulted in a reduction in the area of cultivation which, though slight in actual amount and highly variable, is fairly general throughout the Empire. Smoking in public has become "bad form," and should this sentiment gain in moral force there seems no reason why it should not develop into "losing face," the most powerful of all rules of conduct in China. Lord Morley, the British Secretary of State for India, declared two years ago that, if China wanted seriously and in good faith to restrict the consumption of opium, the British Government would not close the

door. I think the evidence of the two years that have elapsed since the Decree of November, 1906, shows that the Chinese Government and the Chinese people are thoroughly in earnest in their crusade, that much has already been accomplished, that a fair title has been made out to the sympathy and co-operation of other Powers, and that where progress has seemed halting it has been due not to any general lack of the right spirit, but to the infinite perplexities of the task, complicated by the defects of the Chinese financial and administrative system.

But the opium question in China is an international as well as a domestic question. All through Asia the use of the drug is one of the pressing anxieties of statesmanship. Japan permits the cultivation of the poppy solely for medicinal and ornamental purposes and forbids opium-smoking under the most rigorous penalties. In Formosa the growth of the poppy is forbidden by law; opium is a Government monopoly, and only those Chinese are permitted to smoke who are provided with official licenses. In French Indo-China, in the Dutch possessions in the Pacific, in Hawaii and the Philippines, and in Australia either the cultivation of opium or its importation or both are absolutely prohibited. But the opium question as it affects China is international from two other points of view. First of all, it involves the foreign settlements and colonies in and around China, especially Hongkong; and, secondly, it involves India, the only country that grows the poppy and exports the drug on any scale worth mentioning. It is clear that China will reduce the cultivation of native opium to little purpose if it continues to be smuggled or imported from abroad. Without eradicating the vice, she would in that case be merely depriving herself of revenue and at the same time filling the pockets of foreigners. Her obvious course was, therefore, to aim at an arrangement with the Powers that would cut down the importation of the drug in proportion to its diminished cultivation in China. This she at once proceeded to do by opening negotiations with Great Britain, the chief and virtually the only Power under whose auspices the trade in opium is carried on. There are few pages in history more dishonoring than those which record the shameful tale of Great Britain's determination to force upon China a besotting drug in the interests of Indian revenues and against the impassioned protests of the Chinese Government and people. It is true that

the British were not the first to introduce opium into China. But it is not less true that in the nineteenth century they twice went to war to coerce China to legalize a traffic she had declared to be contraband; that by smuggling and force they fastened the vice upon the millions of Chinamen who might and probably would have escaped it; that but for their actions China would never have relaxed the prohibition on the growth of native opium in the desperate hope that the Indian drug might be driven out and the Chinese Government left with a comparatively free hand for dealing with its own people; and that, having taken up a morally indefensible position and maintained it by the sheer brutality of superior and conscienceless force, the British cannot evade the responsibility for much of the appalling misery which opium-smoking has inflicted upon a country inhabited by one-fifth of the human race. Nothing has more prejudiced China against the policies, religion, civilization and ethics of the Occident than the methods employed by Great Britain to replenish the Indian treasury from the degradation of the Chinese masses. They have not been employed without protest from British statesmen and philanthropists, but until recently all such protests have been overridden by the necessity, pronounced supreme, of preserving every source of Indian revenue intact. The revenue in question is derived from a Government monopoly of the growth of opium in Bengal and its sale both for export and for home consumption; and in part by the levy of a heavy pass duty on all opium entering British territory from the Native States. In 1871-72 it yielded as much as $36,000,000; in 1897-98 it fell to little over $8,500,000; in 1904-05 the Indian Government derived from it about $20,000,000. Its productiveness is, therefore, a variable and declining quantity, subject to violent fluctuations and, though still important in the scheme of Indian finance, not so important as it was. These considerations have doubtless had their weight in inducing the Indian authorities to share, or at least to acquiesce, in the moral disgust with which the best minds in England have always regarded the opium traffic between the Indian Government and China.

In the British House of Commons the sentiment against the traffic has been steadily growing. In May, 1906, a resolution was unanimously adopted declaring the Indian opium trade to be morally indefensible and requesting the Government to take

such steps as might be necessary to bring it to a speedy close. Two years later, another resolution welcomed the action of the Government in responding to the wishes of the Chinese Government by diminishing the export of Indian opium, and urged Ministers to put an end to the system of licensing opium dens in Hongkong, the Straits Settlements and Ceylon. Between the adoption of these two resolutions the Indian Government had agreed (1) to diminish the export of opium to China by one-tenth annually, *pari passu* with an equal decrease of the native drug, up to the year 1910, and to continue the arrangement in 1911 and subsequent years on proof that China had carried out her share of the bargain; (2) to allow a Chinese official to be stationed at Calcutta for the purpose of satisfying the Chinese Government that the undertaking was being observed; and (3) to assent to the *likin* duty on foreign opium being equalized with the taxation of the native drug. The only condition attached to these concessions was the reasonable one that China should prohibit the importation of opium from Turkey, Persia and other countries. The Indian Government, I should add, has been as good as its word; the export of opium from Calcutta has been diminished by one-tenth; and if China can show that the cultivation of the native poppy has been equally decreased, then the whole question will be settled in another decade.

It is, of course, easy enough for the British Parliament to indulge its own sense of morality at other people's expense. The Indian taxpayer has by no means relished the prospect of bearing the burden which will fall exclusively on his shoulders; and the question of how the cultivation of the poppy is to be suppressed in the Native States, which are practically autonomous, is one of no little delicacy. Yet it is certain that, but for the propulsion of the House of Commons, neither the authorities in India nor the Governors of Hongkong, Ceylon, the Straits Settlements or the Federal Malay States would have felt stirred to action by China's unsupported appeal. In the case of the Straits Settlements all but half the revenue is derived from opium and the people of Singapore are anything but disposed to surrender it at the mere bidding of Westminster. Hongkong, which likewise derives a considerable portion of its revenue from licensing opium dens, has been similarly convulsed by the order to close them. In both these cases and in Great Britain's other colonies and settle-

ments in the Far East, very interesting questions arise as to the justice of the action of the British Colonial Office in cutting off a local source of revenue without compensation. Without entering into them, I think it may fairly be said that Great Britain has made in the past year such reparation as is in her power for her share in inflicting opium upon China. She has been greatly encouraged in doing so by the attitude and activities of the United States Government, which has summoned an International Commission to meet in Shanghai on January 1st, 1909, for the purpose of devising a uniform scheme for the suppression of the trade. No Government has held aloof from this benign project. All the Powers concerned have willingly joined in it, and three of them for the past few months have been conducting preliminary investigations that will unquestionably do much to insure the success of the Commission. The unanimity of the desire to second China's effort of self-reform was shown last September when Japan came into line with the other Treaty Powers and agreed to prohibit the importation into China of morphia, except for medicinal purposes. If opium by universal agreement were likewise to be placed on the forbidden list, a decisive step would be taken towards its extinction. But before recommending such a step the Commission will have to satisfy itself, first, that China is really reducing the area of poppy cultivation, and, secondly, that the withdrawal of foreign opium will not lead to the Chinese Government's forming a corner in the native article. Of all the opium smoked in China only about one-seventh is imported; but, being of superior quality, it is eagerly sought after. Whether its suppression will not result in the growth of a vast smuggling trade; how far the undoubted sincerity of the Chinese Government has been, or is likely to be, effective; and whether opium-smokers, when deprived of the drug, show a tendency to fall back on alcohol or cocaine—on all these points the evidence and findings of the Commission will, it is hoped, throw a decisive light. Nothing, however, can alter the most hopeful fact that China, to the best of her capacity, is grappling with a terrible and pervasive vice, and that other Powers, even to their own financial loss, are rendering her all the encouragement and assistance that her heroic effort deserves.

BRITANNICUS.

CANADIAN MANUFACTURERS AND THE TARIFF REFORM MOVEMENT IN ENGLAND.

BY EDWARD PORRITT.

"It is bad business and bad politics," said Earl Milner in an address on "Tariff Reform, Preferential Trade and Imperial Unity," before the Board of Trade, at Montreal, on November 2nd, 1908, "that different communities within the Empire should deal with one another in any respect as if they were foreign countries." Yet this is exactly the spirit in which the Protectionists of the Dominion—Liberal and Conservative members of the House of Commons, at Ottawa, and members of the Canadian Manufacturers' Association—have continuously assailed the preference for Great Britain, since it was first embodied in the Canadian tariff in 1897. Evidences of this spirit can be found on almost innumerable pages of the Canadian "Hansard" for the Parliament of 1900-1904; also in the official organ and other literature for the same period of the Canadian Manufacturers' Association: and had Lord Milner gone over the transcript of the short-hand writers' notes of the Dominion Tariff Commission of 1905-6 he would have learned that British manufacturers and exporters were not infrequently described as "foreigners" by Canadian manufacturers who were then, with ultimate success, assailing the British preference.

The word "foreigner" was so used, for instance, at Three Rivers, Quebec, when the Tariff Commissioners were there on the 27th of December, 1905, by manufacturers of cast-iron pipe who were complaining of competition from Scotland. Its use on that occasion brought upon the manufacturers a sharp rebuke from Mr. Fielding, the Minister of Finance. But they could well afford to submit to this public rebuke; for in November, 1906, when the tariff was revised the duty on cast-iron pipe

from Scotland and England was increased from $5.33 a ton to $6 a ton. It is the contention of the assailants of the preferenece that in tariff legislation British manufacturers should be so regarded; and as recently as the last convention of the Canadian Manufacturers' Associations, held in Montreal, in September, 1908, British woollen manufacturers were described as "outsiders"; and a memorial was sent to Ottawa protesting against "the Government's discriminating in favor of the outside manufacturer as against the Canadian."

This protest was the latest move of the Manufacturers' Association against the preferential duties on British woollens. It is this long contest against the preference on woollens with which I am here concerned; for the struggle is pregnant with significance, in view of the proposed radical change in the fiscal and economic relations that have existed between England and Canada since Canada in 1858 became free to enact her tariffs without let or hindrance from the Colonial Office in London.

Mr. Chamberlain's full scheme of tariff reform, it will be recalled, involves a protective tariff for Great Britain with a preference for colonial imports in return for a preference in colonial tariffs for British manufactures. This is the scheme which has been before the British electorate since May, 1903. It is the scheme which is to-day advocated by Mr. Chamberlain's adherents, in Parliament, at the by-elections, in the press and on the platform; and Mr. Chamberlain's followers are never tired of declaring that, with a Protectionist Government in power at Westminster, tariff reform on this basis will immediately be realized. These followers of Mr. Chamberlain completely ignore the attitude of manufacturers and bounty men in Canada and in others of the Protectionist colonies, and put out of sight the colonial obstacles in the way of such a scheme of tariff reform.

There are nearly a score of items in the Canadian tariff of 1906 which afford proof that a thoroughgoing Protectionist Administration like the Laurier Government has found it politically impracticable to maintain the full preference of 1900-4 intact against the continued assaults of Canadian manufacturers, quite as eager for what they regard as adequate protection against imports from Great Britain as for tariffs of Haman's Gallows' altitude against the United States. The increased duties in the preferential tariff of 1906 on cottons and woollens, on cast-iron

piping, granite tombstones, and jewelry and plated ware, are all so many monuments to the failure of the Laurier Government to stand by the principle that it embodied in the tariffs of 1897 and 1900. But the history of the woollen schedules from 1901 to 1908—the increases in the duties, and the three distinct movements against any preference whatever for British woollens—must convince even the most ardent of Mr. Chamberlain's followers that there is little hope for any scheme of tariff reform involving concessions in the protective tariffs of the larger self-governing colonies which shall be of real and permanent value to British manufacturers.

The history of the woollen schedules, from the last revision of the Dominion tariff in November, 1906, to the general election in October, 1908, with the libellous onslaught on some grades of Yorkshire woollens that was made in August, 1908, by the official journal of the Canadian Manufacturers' Association, is almost sufficient in itself to prove the futility of the plea for colonial preferences in a British protective tariff in return for colonial preferences for British manufactures. But while the most recent attack on the woollen schedules became generally known in England because the attention of the President of the Board of Trade was called to it in the House of Commons in October last, it is only one of a series of persistent attacks made on these schedules since 1901. Two of the earlier attacks were successful. They frightened the Laurier Government into curtailing the preference in 1904 and again in 1906. It is, however, only when the complete history of all these onslaughts from 1901 to 1908 is reviewed, that the impossibility of a British protective tariff with colonial preferences in return for preferences for British manufactures in colonial tariffs becomes fully obvious.

The general history of the preference is well known. It was enacted by the Laurier Government within a year after it had come into power at Ottawa at the general election of 1896. The Liberals had been in Opposition from 1878; and while in Opposition their leaders—Sir Wilfrid Laurier and Sir Richard Cartwright—had continuously condemned the protective tariff and the bounty system which constituted the National Policy, as it had been developed by Conservative Governments between 1879 and 1896. "I ask you once more," said Sir Wilfrid Laurier, at the National Convention of the Liberal party in 1893, "never to

desist until we have achieved victory, until we have freed this country from the incubus which has been weighing it down for fifteen long years." By such utterances as this in and out of Parliament, and also by the platform adopted at the National Convention of 1893, Sir Wilfrid Laurier and his party were fully committed to a tariff for revenue only and to making an end to the protective tariff and the bounty system. But when they came into power in 1896, they found it to their political ease and advantage to ignore all that they had said and promised; and the British preference was the only inroad that was made on the protective system that Sir John Macdonald and the Conservatives had built up between 1878 and 1894.

In Opposition, the Liberals had condemned a proposed British preference on the ground that it would prove unworkable, and would be antagonistic to the United States. In 1897 they adopted a scheme which they had condemned in Opposition, partly as a measure of relief in some of the protective duties, and partly to distract popular attention in Canada from the fact that except for the preference they had appropriated in its entirety the fiscal policy of the Conservatives—protection and bounties—which for seventeen years they had so vigorously condemned.

The full preference—one-third off the tariff duties—did not come into force until July, 1900; and it was in operation only until June, 1904. It was then that the first curtailment was made; and it was made exclusively in the interest of the Canadian woollen manufacturers, who objected to the increased competition from British mills. The Canadian Manufacturers' Association—the Home Market Club of the Dominion—complained of the preference on British woollens as early as September, 1901. It was affirmed at the Montreal Convention of the Association in 1901 that nearly one-third of the business of the Canadian woollen-mills had been sacrificed under the preference; and it was then insisted that Canadian mills must have a protection against Great Britain of not less than thirty per cent. Under the preference of 1900, duties against British woollens ranged from twenty to twenty-three and a third per cent. The agitation against the preference was continued with much persistence until April, 1904. At the Halifax Convention of the Canadian Manufacturers' Association in 1902 the late Mr. J. I.

Tarte, who was then Minister of Public Works in the Laurier Government, associated himself with the attack on the woollen schedules. "I want to know," he said, "why the American manufacturer of woollen goods, or the German manufacturer, or even the British manufacturer of woollen goods, should be permitted to slaughter the Canadian manufacturer of woollen goods. This country must be united in respect to a strong Canadian tariff; and as long as I am in the House of Commons, either as a Minister of the Crown or as a private member, you may rely upon me." Mr. Tarte's openly expressed sympathy with the movement increased the confidence of the Manufacturers' Association in pressing their claims on the Laurier Government. As a general election was due in the early winter of 1904 the Government was susceptible to this pressure; and in April, 1904, it capitulated in regard to the preference.

From the point of view of the Canadian consumer, and also of British trade with the Dominion, the woollen schedules were the schedules of greatest value in the preferential tariff. But the exigencies of Canadian politics demanded their sacrifice; and in 1904 they were revised on the lines demanded by the Canadian Manufacturers' Association. Duties on wearing apparel and ready-made clothing, made of wool or worsted, and cloths, doeskins, cassimeres, tweeds, coatings, and overcoatings and felt cloths, coming from Great Britain, were increased to thirty per cent. This was the duty demanded by the Canadian Manufacturers' Association at the outset of the agitation against the preference; and blankets and knit goods were about the only articles in the schedule which were not in 1904 made liable to the higher duties.

There was some discussion of the new schedule in the House of Commons; and Mr. Hance Logan, a supporter of the Laurier Government, who in 1908 was promoted to the Senate, made an outspoken speech against the preference, which in the session of 1908 was quoted in the House of Lords by Earl Cromer in support of his contention that Mr. Chamberlain's scheme of tariff reform was impracticable:

"What we want in this country," said Mr. Logan, who is a woollen manufacturer of Amherst, Nova Scotia, "is to impress upon the people that our true policy is 'Canada for the Canadians'; and to carry out this policy we must endeavor to use goods made in Canada. I have

not the slightest doubt that nine-tenths of the members who have spoken here to-day are wearing English or Scotch tweeds on their backs, while crying out 'Canada for Canadians.' 'Made in Canada' should be the watchword of the people of Canada. If the competition from Great Britain is at present too keen—and I fear it is—I am willing to leave the woollen industry of Canada and its future welfare in the hands of the present Government. But I desire to call your attention to one fact that seems to me very strange. Honorable gentlemen on the other side of the House—members of the Conservative party—are great Chamberlainites. They are always shouting in favor of Mr. Chamberlain. Yet the very first principle enunciated by Mr. Chamberlain is that this country should lower its tariff on goods which are peculiarly British. They know that if to-morrow Mr. Chamberlain were returned to power, and he should ask the people of Canada to lower the duty on woollens which are manufactured in England, they would cry their hearts out before they would allow such a lowering to take place. If Mr. Chamberlain's policy means the destruction of Canadian industries for the benefit of British industries, I am opposed to that policy."

The agitation of the Canadian Manufacturers' Association against the preferential duties on woollens was pushed side by side with a general movement for higher duties. During the three years from 1901 to 1904 Canadian manufacturers were demanding a tariff against the United States on the Dingley model; and this movement so unnerved the Laurier Government that in June, 1904, it was announced that in 1905 there would be a revision of the tariff. The announcement was so worded by the Minister of Finance that, until the Tariff Commission began its work in the autumn of 1905, manufacturers had understood it to mean that there was to be a Dingley tariff against the United States. Many of them prepared their memorials for tariff increases with this expectation. But these memorials alarmed the farmers' associations of Ontario; and to quiet these alarms the Tariff Commission in the second week of its work in Ontario announced that a Dingley tariff for Canada was impracticable. The farmers' organizations in Ontario, as well as those in the prairie provinces, also complained of the inroad that had been made in the woollen schedules of the preferential tariff in April, 1904; and presented memorials to the Commission in which it was urged that duties in the woollen schedules should be put back to the level at which they stood between 1900 and 1904. Heedless of this organized opposition of the farmers, the woollen manufacturers, both individually and as a section of the Canadian Manufacturers' As-

sociation, renewed the attack on the woollen schedules. In the first attack they had asked for a duty of thirty per cent. against British competition, and their demand was conceded by the Government when it amended the preferential tariff in 1904. At the final public session of the Tariff Commission at Ottawa in February, 1906, the Commission was assured by the woollen section of the Canadian Manufacturers' Association that "now that British firms are exerting enterprise and effort to secure the trade in Canada, a duty of thirty-five per cent. will do no more than give the Canadians a fighting chance in their home market."

Wherever the Commission had gone in rural Canada it had been bluntly told by the representatives of the farmers' organizations that there must be no more curtailments of the preference; and while there were curtailments at the revision of November, 1906, on such imports as cast-iron piping, tombstones and silver plate, the only change in the woollen schedules adverse to Canadian consumers and to British woollen-mills was an increase to thirty per cent. on the cheaper grades of blankets. Canadian blanket manufacturers were not prominent in the agitation against the preference from 1901 to 1904. Hence in 1904 the duty on blankets was left untouched. At the revision in 1906, however, the blanket manufacturers of Ontario complained that they could not withstand the competition of Yorkshire and Lancashire in the cheaper grades; and to put them on an equality with other Canadian woollen manufacturers the duty on blankets not wholly of wool was increased from 23 1/3 to 30 per cent. The net result of the two attacks of 1901-4 and 1905-6 is that, on most lines of woollen goods, the British preference which in 1900 was one-third off the general list does not now exceed five per cent.

The Canadian manufacturers were dissatisfied but not discouraged by the fewness of the concessions in the woollen schedules made to them in 1906. The Manufacturers' Association again came to the aid of the woollen men; and between the revision of 1906 and the general election of 1908 there was a third well-concerted attack on what is left of the British preference. It is this last attack that has attracted the most wide-spread attention in England; that has been the subject of questions in the House of Commons; and that has caused even the ardent followers of Mr. Chamberlain to question whether their full scheme of tariff reform is practicable. The method of this third attack has as-

tonished England; for it was as unexpected as it was disturbing to the good relations which exist between Great Britain and her self-governing colonies.

This new and unscrupulous method of attacking the preference was adopted after several deputations had waited on the Premier and the Minister of Finance at Ottawa to ask for higher duties on British woollens, and after Sir Wilfrid Laurier had replied to a peremptory telegram from the executive council of the Canadian Manufacturers' Association that in the session of 1908 there was to be no legislation increasing the duties in the woollen schedules. The interchange of telegrams between the Canadian Manufacturers' Association and the Premier took place on July 16th. Three weeks later there was published in "Industrial Canada," the official organ of the Canadian Manufacturers' Association, for the editorial supervision of which a permanent committee of the Association is responsible, an article on the editorial page in which it was demanded that certain lines of Yorkshire woollens should be excluded from Canada on the ground that they were made of shoddy, and that this shoddy was positively dangerous to public health.

The argument that there should be high duties on these particular imports was not new in 1908. It was advanced before the Tariff Commission at Windsor, Ontario, in November, 1905; and again at Ottawa, in February, 1906. "Importing under the present tariff," said Mr. John Dick, of Forfar Mills, Ontario, Chairman of the Woollen Section, before the Tariff Commission at Ottawa, "tends to encourage the use of shoddy goods, in the production of which English makers are very ingenious; and they produce fancy fashionable effects from shoddy but little better than dust. England imports about 35,000,000 pounds of rags from Europe annually, besides using up the rags from its own population. There is no certainty of these rags being disinfected; and these low shoddies may thus be not only wasteful, but the means of introducing disease." In the issue of "Industrial Canada" for August the case against shoddy was again advanced, this time in support of a plea for the total exclusion of these Yorkshire woollens on the ground that they were a sanitary danger to the people of the Dominion.

There was consternation in the heavy woollen districts of Yorkshire when this onslaught was republished in England. The

Chambers of Commerce of Leeds, Bradford, Batley, Dewsbury and Birstall held a joint meeting, at which a retraction of the article was demanded from the Canadian Manufacturers' Association. A lame and halting apology was sent by cable from the headquarters of the Association in Toronto; but although two issues have now appeared since the bomb of August was thrown into the Yorkshire trade, there has been no apology nor any expression of regret in "Industrial Canada"; and at the Montreal Convention of the Canadian Manufacturers' Association in September, the grievance of the woollen manufacturers of Yorkshire was not even alluded to. On the other hand, there was then another assault on the preference; and much time was devoted to the best means of making still another appeal to the Government for the sweeping away of what remains of the preference in the woollen schedules since the amendments in the interest of Canadian mills in 1904 and 1906.

Thus for seven years—from September, 1901, to September, 1908—the Canadian Manufacturers' Association has continued its fight against the preference. The contest over the woollen schedules alone should convince Mr. Chamberlain's supporters that so far as concerns preferences for British manufactures in colonial tariffs in return for preferences for imports from the colonies their scheme is impracticable. But from the first Mr. Chamberlain's adherents in England have been misled by the waving of the Union Jack. Nowhere in the British Empire is there more flag-waving than in Toronto, the headquarters of the Canadian Manufacturers' Association. It is claimed for Canadians that they can sing "God save the King" with more fervor and enthusiasm than any other of His Majesty's subjects; and the members of the Canadian Manufacturers' Association always sing "God save the King" with soul-stirring heartiness at their convention banquets. The history of the preference from 1901 to 1908 proves, however, that there is no connection between flag-waving and tariff concessions to British manufacturers; and until Mr. Chamberlain's followers in England can realize that oversea demonstrations of loyalty have no connection with British trade they will continue to work for a scheme which in its entirety is impracticable.

EDWARD PORRITT.

THE FIFTEENTH AMENDMENT TO THE FEDERAL CONSTITUTION.

BY M. F. MORRIS, FORMERLY ASSOCIATE JUSTICE, COURT OF APPEALS OF THE DISTRICT OF COLUMBIA.

THE so-called Fifteenth Amendment to the Federal Constitution has been the source and cause of untold calamity to our country. It has not benefited the race for whose benefit it is presumed to have been enacted; and it has greatly injured our Aryan race and seriously threatened the stability of our Aryan institutions. The reason of this is that it is based upon radically erroneous principles. Conceived as it was in iniquity and begotten to subserve grossly partisan purposes, it has served as a boomerang to those who originated it. It has taxed the ingenuity of those most intimately affected by its operation to evade its provisions; and the other section of the country has looked with complacency upon the effort to nullify its efficiency. And yet there has been little or no movement for its formal repeal. The majority of our people are wisely averse to any tampering with the organic law of the Federal Union; and, deeming this Amendment to be part of that law, they prefer to see it evaded in its operation than to appeal again to the dangerous process of constitutional amendment.

We have said that this Fifteenth Amendment is based upon radically erroneous principles. Even assuming, what we know not to have been the fact, that the movement for its adoption was superinduced by a reverential regard for the beautiful theory of the brotherhood of man, we now know only too well that this theory must be limited in its practical application. That theory is the foundation of our republican institutions. We believe it to be the foundation of the Christian religion. But it does not imply the commingling of the races of men upon terms of equality.

It is useless, it is supremely absurd in this connection, to ignore the fact that mankind is divided into five or more great races, fundamentally differing from each other in their manners and customs, in their laws and usages, in their physical and mental characteristics, in their intellectual and moral development; and that they have been accustomed for ages to regard the great problems of human existence from a different standpoint. These races have been developed in different parts of the globe; and it was evidently the intention of the Creator—we may call it a law of nature, if we choose—that, to a certain extent, they should remain separate and distinct, and not commingle with each other. No attempt to fuse them has ever been successful. Such attempts have invariably resulted in the degradation, if not in the actual extinction, of those who have been subjected to the process. They may perhaps be well developed apart; but experience has shown conclusively that, when commingled, the inferior race is not elevated, and the superior race is degraded. This is the law of nature. It is useless to inquire why it is so: and it is worse than useless, it is wicked, to seek to array ourselves against it.

It may be laid down as axiomatic that no two of the races can co-exist upon the same soil upon terms of equality with each other, either social or political. And yet, while we practically concede this doctrine in its application to the Aryan and Mongolian races, we have sought to combine the extremes, and to place the highest and the lowest of the races in the scale of development, the Aryan and the Negro, upon a level of political and social equality. That the attempt to establish social equality should have proved a failure was a foregone conclusion from the beginning. Supported by the bayonet, by fraud and force alike, the theory of political equality has had a short-lived existence. It is now apparent even to the most blind that this also is a total failure. But the formal assertion of the fanatical tenet remains upon the statute-book, and has been read into the organic law, as far as it was possible for the fanatics to read it; and it remains a stumbling-block and a perpetual source of irritation and annoyance to all true lovers of their country.

Now, if it can be shown that this so-called Fifteenth Amendment, by which it was sought to perpetrate this greatest possible outrage upon our Aryan civilization, was never legally adopted, and never became, as it purports to be, a part of our Federal

organic law, and therefore is without any force or validity whatever, an almost equal boon will be conferred upon the white and the black races. The former will be relieved from a festering sore in the body politic: the latter will be released from a situation fraught with disaster to its best interests. We think the nullity of the so-called Fifteenth Amendment can be demonstrated.

1. We desire at once to remove any misapprehension which may arise here that we are basing our contention upon the grossly improper methods by which the supposed adoption of the Amendment was secured. These methods were disgraceful in the extreme. The history of the so-called "carpet-bag" Legislatures of the Southern States of our Union, by which the enactment of this Amendment was secured, is a history of infamy, and the most disgraceful page in our annals. And the States which were compelled to accept those Legislatures at the point of the bayonet may well be justified in repudiating their action at any time. But our objection to the Fifteenth Amendment is not based upon any such grounds as that. Perhaps, *judicially,* that ground might be regarded as properly within the cognizance of the political departments of Government. Perhaps, in any event, it would be too late at this day to raise the question, when proof of the facts would be something in the nature of ancient history. But we seek to raise no such question. The question which we would raise is of far graver import in its constitutional aspect. It is, that this so-called Fifteenth Amendment is not an *amendment,* but an *addition* to the Constitution; and that, while *amendments* to the Constitution may be enacted by a vote of three-fourths of the States, in accordance with the provisions for amendment in Article V of the Constitution itself, yet an *addition* to the Constitution cannot be made, except by unanimous consent of all the States, which this Fifteenth Amendment never received.

2. For the purposes of the present argument, we may concede that, by the unanimous action of all the States of the Union, they may add anything they please to the Federal Constitution. We will not even controvert the extreme position that they may commit State suicide, destroy their own anatomy, vest all power without restriction in the Federal Government, and even convert the Government into a monarchy. When they are depraved enough to take any such action as that, it will be useless to seek to controvert their authority so to do. But there is no question

here of unanimous consent. Five of the States of the Union—Delaware, Maryland, Kentucky, Tennessee and Oregon—rejected the Fifteenth Amendment when it was proposed; and it was never accepted by them. We are restricted, therefore, to the inquiry whether, under Article V of the Constitution, this so-called Amendment was one which could properly and validly be made a part of the organic law by a vote of three-fourths or more of the States against the refusal of any one or more of the other States to receive it.

3. The determination of the inquiry depends upon the distinction between *addition* and *amendment*. *Addition* requires unanimous consent of the States: *Amendment* may be made and become effective by a vote of three-fourths of the States over the objection of the other fourth, or of any number of the States less than one-fourth. Now, *addition* is something entirely new, and not germane to the original instrument: *amendment* is alteration or improvement of that which in some form is already there. The distinction between *addition* and *amendment* is fundamental, and is very clear to every one. No one will claim that they mean the same thing; and it would, therefore, be unnecessary to expend effort to show the difference between them.

When the original Constitution prescribed, as it did in the Second Section of Article III, that the judicial power of the Federal Courts should extend to suits "between a State and citizens of another State," and the Supreme Court of the United States, in the case of Chisholm *vs.* Georgia (2 Doll., 419) construed that to include suits by a citizen of one State against another State, as well as suits by a State against citizens of another State, to which we may assume now the provision was originally intended to be restricted, the people promptly stepped in with the Eleventh Amendment and made the desired restriction. The Eleventh Amendment was an amendment in the proper sense of the term, and within the competency of three-fourths of the States to make, under Article V of the Constitution.

The Twelfth Amendment is another similar illustration. The original Constitution had provided fully for the mode of the election of a President. The contest between Jefferson and Aaron Burr in 1800-1 revealed a point of danger in it; and it was remedied by the Twelfth Amendment—most appropriately an Amendment, and wholly germane to the original Constitution.

Let us turn to the original Ten Amendments so-called. Their history is well known. To all intents and purposes they are part of the original Constitution. They were developed in the discussion on the adoption of the Constitution in the years 1787 and 1788; and it was the unanimous sentiment of the country that, while it was rather too late to incorporate them into the original Constitution, they should be forthwith formulated by the First Congress and proposed for adoption by the States. They were formulated by the First Congress, in which body were several of the men who had formulated the original Constitution, and all of whose members were thoroughly acquainted with the views of the framers of that instrument; and by the Act of September 25th, 1789, they were proposed for adoption, under the title of "*Additions* and *Amendments*" to the Constitution. Evidently it was recognized that there was a sharp distinction between *addition* and *amendment,* and that one did not include the other, and that one was not the equivalent of the other. And these *additions* and *amendments* were unanimously adopted by all the States which then constituted the Union, so that no question could have arisen in any event, such as is now raised here, in reference to them.*

It is further to be noted that these Ten Amendments have been repeatedly construed by the Supreme Court of the United States to be, what they were most undoubtedly intended to be, limitations upon the powers of the Federal Government, not the addition of any new power to it or the deprivation of the States of any of their reserved powers. They stand very differently from attempts to increase by amendment the power of the Federal Union by conferring upon it some of the powers reserved to the States, or by limiting the power of the States in matters in which it was not limited by the original Constitution.†

It has also been repeatedly decided by the Supreme Court of the United States that the Constitution and its provisions and terms are to be interpreted in the sense in which they were understood by the framers of that instrument and by the people generally at the time at which it was promulgated and adopted.‡

* It does not appear from the records of the State Department in Washington that Massachusetts, Connecticut and Georgia ratified these Ten Amendments; but the records of the States in question show that the Ten Amendments had their assent.

† Barron *vs.* Baltimore, 7 Peters, 243; Twitchell *vs.* Pa., 7 Wall, 321.

‡ Martin *vs.* Hunter, 1 Wheaton, 304; Cohens *vs.* Va., 6 Wh., 264.

In this connection, let us assume for a moment that the subject-matter of this Fifteenth Amendment had been broached at the time of the promulgation of the Constitution, and proposed to be adopted. Is there any student of history who would honestly maintain that it would have had the least chance of adoption?

4. The deductions to be legitimately drawn from a proposition are sometimes, perhaps generally, the best criterion whereby to judge of the soundness of the proposition itself. If, under the guise of amendment of the Constitution, any extraneous matter may be added to it which three-fourths of the States might think proper, then it would be in the power of these three-fourths at any time, not only to commit State suicide themselves and destroy their own independent existence, but likewise to destroy the existence of all the other States against their will. Let us suppose that to-day it is voted by constitutional amendment to take away the subject of marriage and divorce from the States and confer it upon the Federal Government. There are many inconsiderate persons who seek to have that done now for the sake of uniformity. To-morrow, perhaps, it will be proposed for the same reason to establish the jurisdiction over all crimes in the Government of the Union; and the proposition may find favor, and may become part of the organic law. Next, we shall have the subject of the domestic relations, and the creation, control and management of all corporations remitted to Federal control. There are also those who would do that now. After that, it would probably be easy, and there would no doubt be many to favor the proposition, to transfer all the jurisdiction over real and personal property, and all the probate law, to the Federal Government. No doubt, it would be a plan of simplicity, as the feudalist Blackstone said of the now infamous Feudal System; it would do away with the supposed confusion of fifty different petty sovereignties legislating upon subjects which could more uniformly, and more effectively, be legislated for by one Congress of the Federal Union. Thus the process could go on according to law; and thus our Federal system, with all its manifold blessings and all its many safeguards for the security of freedom, would gradually but surely give place to united nationality. It might be that, when our States become fifty-two and upwards in number, thirty-nine of them, comprising three-fourths of the whole, under influences hateful to the framers of the Federal Constitution, could over-

whelm and destroy the original Thirteen States, to whom they were all indebted for that Constitution.

If, under the guise of amendment of the Constitution, all this can lawfully be done, what guarantee have the States for their integrity and continued existence? Absolutely none. It will be in the power of three-fourths of the States at any time to destroy the other fourth, to overthrow the whole Federal System, and to establish a centralized despotism in the place of our present excellent device of State and Federal Government and a dual sovereignty. If it be said that we should not assume that this will ever be done, my answer is that stranger things have been done. Where any result is possible according to existing law, we may properly assume that the result is likely at any time to happen. It is against the possibility of such happenings that the framers of our Constitution sought sedulously to guard.

The method provided in Article V of the Constitution for the amendment of that instrument as occasion might require, does not seem to have provoked much discussion before the people at the time when the adoption of the Constitution was under consideration by the States; and no great space was devoted to it either by the writers of "The Federalist" or by other publicists of that day. The propriety of the provision seems to have been received with quite general acquiescence. As a matter of fact, the Constitution has come to be regarded as practically unamendable. It was only under pressure of a desperate Civil War and of the excitement consequent thereon, that the three so-called War Amendments, the only amendments adopted since the year 1802, were sought to be incorporated into that charter of our national existence. And it is all the better that it should be so. Tampering with the organic law, either for real or supposed defects, is exceedingly dangerous. For 120 years the document has stood the test of experience. It might be rash to assert that it is good enough for all time. But, so far as we may judge from the lessons of experience, it is amply sufficient, unaltered and unamended in the slightest degree, to serve its purpose for ages to come. Amendment of it is regarded as undesirable by all right-minded and thinking men, for the very reason here indicated, that, under the guise of amendment, addition to the instrument or alteration of it might be covertly attempted; and addition to it, or alteration of it, was not contemplated by its framers, or by the States which

adopted it. In fact, addition to the Constitution, whether in the guise of amendment or otherwise, is radically inconsistent with the reservation to the several States of all the rights not therein granted to the Federal Government. The reservation would be worthless if those rights could be taken away at any time by the co-operative action of the other States.

But suppose that, at the time of the discussion of the Constitution, before its adoption some one had asked Hamilton or Madison to explain in "The Federalist" the scope and meaning of Article V of the Constitution providing for amendment, and whether, under the guise of amendment, anything else whatever could be *added* to the Constitution, however foreign to its existing scope, which three-fourths of the States might at any time think proper to adopt; and suppose that either one of the two great statesmen, who in that publication so strenuously urged the acceptance and adoption of the Constitution by the States, should have candidly and unequivocally answered that inquiry in the affirmative, what chance would there have been for the adoption of the Constitution? With the knowledge which we all have of the history of that time, of the great difficulty which the Constitution encountered, and of the narrow margins by which it was accepted in several of the States, it may be asserted unhesitatingly and without the slightest fear of successful contradiction, that it would not have received the vote of a single State,—in other words, that, instead of its being accepted by all the States, it would have been unanimously rejected.

What more potent argument than this is there needed to show the conception which the States had at the time between *amendment* and *addition;* and what the scope and meaning are that are now to be attributed to the term "Amendment"?

Nor is the distinction a mere technicality. It is substantial and fundamental; and it is the dictate of common sense. In every legislative assembly, in every meeting which seeks to proceed in accordance with parliamentary law, which is no more than the law of common propriety, the radical difference between *amendment* and *addition* is recognized. *Amendment* is always understood to refer to something germane to the matter under consideration: *addition* is something foreign to it. *Amendment* is always in order: *addition* can only be brought up in a separate and distinct measure. This is so clear and so well understood that it is use-

less to expend argument upon it. The distinction between *amendment* and *addition* is well established.

5. But it may be argued—and this seems to be the only plausible argument in opposition to our proposition—that an *article* in *addition* to the Constitution, even though it be not an *amendment* in the strict and proper sense of the word, may be regarded as such in the sense of Article V of the Constitution, because it tends to *amend* and improve the whole. But this is plainly no sufficient argument. *Addition* might be an improvement. Addition might be desirable. A new and different Constitution might be desirable. A new and different Constitution might be regarded as an improvement upon our existing Constitution, although we must be permitted the privilege of greatly doubting it. It has been charged that both Alexander Hamilton and John Adams preferred a limited monarchy for us to a Federal Republic. It may be that they would have preferred the so-called English Constitution to that which was actually adopted at Philadelphia in 1787. But the question is not of a better or worse Constitution; but as to what was meant by the term *amendment* used in the Constitution of 1787: and that plainly means only such alteration from time to time of the special provisions of that instrument as may be supposed to conduce to the fulfilment of their special purposes. The Eleventh and Twelfth Amendments are excellent illustrations of the meaning of the term.

We do not mean to say that radical and fundamental changes may not be effected in the way of amendment of the Constitution. For example, two Presidents, instead of one, might be provided for. There was some such proposition made in the Constitutional Convention. The Federal Judiciary might, in part or in whole, be abolished. One of the two Houses of Congress, the House of Representatives, might be abolished. Other similar changes might be effected which would radically change or modify the whole structure of our Government. But we would hesitate to say that such changes would not be within the purview of constitutional amendment, because such changes would be entirely germane to the provisions now contained in our Constitution. But it would be revolutionary to put into our Constitution what is not in it, and which has no relation to that which is in it.

6. Now, that the subject-matter of the so-called Fifteenth Amendment is entirely extraneous to the Constitution, not at all

germane to it or to any provision in it, and is, in fact, wholly new matter, an *addition,* pure and simple, and not merely an *amendment,* is too plain for argument; and no words need be wasted upon the subject. It seeks to regulate and control the right of suffrage in the States; and that is a matter to which there is not the remotest reference in the Constitution. It is true that there is in the Second Section of Article I of the Constitution the provision that the electors for members of the House of Representatives in each State "shall have the qualifications requisite for electors of the most numerous branch of the State Legislature"; and this provision, of course, is subject to alteration and amendment. But this is no foundation for the Fifteenth Amendment, which seeks to regulate suffrage in the States.

7. Naturally, in discussing the validity of the Fifteenth Amendment from the standpoint here taken, we will turn to inquire whether the same objection will hold to the other two War Amendments, the Thirteenth and Fourteenth—not because these two have any necessary connection with the Fifteenth, but to ascertain how far the proposition here advanced may tend to contravene either established facts or judicial interpretations of these Amendments. With the Thirteenth Amendment we need not concern ourselves. It is undoubtedly amenable to the objection which we make to the Fifteenth Amendment. It is not germane to anything in the original Constitution; and as an Amendment to that instrument we believe it to be a nullity. But slavery stands abolished, let us hope forever, by something more powerful even than a Constitutional Amendment, the inexorable logic of accomplished facts. We need waste no time on the Thirteenth Amendment.

The Fourteenth Amendment stands upon quite a different basis from the other two. It is not like them a single provision relating merely to one specific subject. It is a congeries of propositions embraced in five separate sections, and in no way related even between themselves. Some of these are undoubtedly germane to the original Constitution; others of them are clearly not germane. How far these various provisions can be segregated from each other, and some sustained and some repudiated under the theory now advanced by us, it is unnecessary here to inquire. The Fourteenth Amendment is not now under consideration. As to it the question has never been raised which is here raised for

the first time. It will be time enough to consider it when it is raised.

The Fifteenth Amendment has been incidentally before the Supreme Court of the United States in some few cases (United States *vs.* Reese, 92 U. S., 214; United States *vs.* Cruikshank, 92 U. S., 542; *ex parte* Yarborough, 110 U. S., 651): but in no one of these was the question raised as to the validity of the Amendment. It is not improper, and it is not too late, to raise that question now. For, although it is over thirty-seven years since it was proclaimed by the State Department to have been ratified by three-fourths of the States and to have therefore become a part of the organic law, it has never been unqualifiedly accepted by the States most affected by its provisions. We know that it has been openly evaded by those States; and their evasion of it has been practically sanctioned by the Supreme Court of the United States. To a great extent it is now a dead letter; and yet it remains as a possible, and even probable cause for annoyance and irritation for coming generations. It is time that it should be wholly expunged from the statute-book by proper judicial construction which would save our organic law from future experimental tamperings of a similar character. The Federal Constitution and our Federal Union under it will be saved from many a strain in the future, if it is once judicially established that this Constitution is subject to *amendment* only in matters germane to its original provisions, but not to addition of extraneous and foreign provisions, except by unanimous consent of all the States. It is confidently submitted that a careful consideration of the subject will necessarily lead the calm and impartial mind to the soundness of such a judicial construction. The result will be that the so-called Fifteenth Amendment should be regarded as a nullity.

It ought not to be difficult to frame legal proceedings, preferably, although not necessarily, in one of the five States which refused to accept this so-called Amendment, which would serve to bring the question here raised, apart from all extraneous considerations, to the ultimate arbitrament of the Supreme Court of the United States.

M. F. Morris.

THE SMITHSONIAN INSTITUTION.

BY CHARLES MINOR BLACKFORD, JR., M.D.

SITUATED in the City of Washington is an organization which is unique among learned establishments in aims, objects, methods and origin. It is at once a private corporation and a bureau of the Government; controlled by Congress, but governed by rules of its own making. It is a society with no members and but a few associates; a university without a faculty, that has no matriculates and grants no degrees; a great publishing-house that pays nothing for manuscripts, holds no copyrights and gives away the greater part of its output. This is the Smithsonian Institution, an establishment little understood by the people, although to it is due, in large measure, the high rank held by American scientific workers throughout the world.

The origin of this remarkable organization is not its least peculiar feature, for it was established in accordance with the will of James Smithson, a noted English chemist, who left a legacy to the United States for the purpose. Legacies to Governments are rare, and legacies by a subject of one country to the Government of another are so uncommon as to arouse interest in the personality of the donor and the motives that prompted such an act.

James Smithson was a natural son of Sir Hugh Smithson, who was created Duke of Northumberland in 1766 and assumed the name of Percy. The son, who was to make the former name illustrious, was born in France in 1765, and bore his maternal name of Macie throughout his early years, probably assuming that of his father on coming of age. He was one of the memorable group of investigators who freed chemistry and physics from the superstitions and follies of alchemy and magic that hung about them for so long. Cavendish was one of his intimate

friends, as was Arago at a later period; but his correspondence embraced almost every man of scientific eminence in Europe. His work in chemistry and mineralogy attracted attention, and he became a Fellow of the Royal Society, to whose "Philosophical Transactions" he contributed several papers. He was a voluminous writer, and many of his unpublished papers came into the possession of the Smithsonian Institution with his other personal belongings, but, unfortunately, were burned in a disastrous fire in 1865.

Burdened by ill-health, he was forced to seek a more genial clime than that of England, and his latter years were passed on the Riviera. In 1826 he made his will, by which his entire estate, with the exception of a few private legacies, was bequeathed to the United States "to found, in the City of Washington, an establishment under the name of The Smithsonian Institution for the increase and diffusion of knowledge among mankind." His reason for selecting the United States for this purpose is not known. The Federal Republic was still an experiment, and few European statesmen believed it to be permanent. By his gift, Smithson showed his faith in its stability; but it is none the less strange that his bounty should have been so bestowed, as he had no ties in America and had never even paid it a visit. It is said that the advice in Washington's farewell address that the United States should "promote, as an object of primary importance, institutions for the general diffusion of knowledge," accorded with his own opinion of the duty of a Government, although it was at variance with the teachings and practice of every European Government of his day, and that on this account he wished to aid the young Republic to follow a new principle in statecraft. Though probable, this is merely a guess, and the real motive will never be known.

The will became operative at the death of its maker, which occurred at Genoa in 1829. The slow processes of the law delayed its execution, and the President was not notified officially of the bequest until July 28th, 1835. On the 17th of December of that year, President Jackson informed Congress of the legacy, and on July 1st, 1836, the gift was accepted, and the President empowered to appoint an agent to collect the money. Richard Rush, of Pennsylvania, was entrusted with this duty, and in November he brought suit in the English Court of Chan-

cery, where the claim remained for two years. The cause was won at last, and Rush returned triumphantly, bringing the fund with him. In his report, he states that he brought it in 105 bags, each containing 1,000 sovereigns, except one that held 960 sovereigns; and, with laughable accuracy, he adds, "eight shillings and sevenpence wrapped in paper," all of which was deposited in the mint in Philadelphia on September 1st, 1838.

The sum so deposited was equivalent to $508,318.46, and at once suggestions were offered for its expenditure in accordance with the terms of the will. As these were somewhat indefinite, it is not surprising that the proposals were varied in character. A National Library, a National University, a National Gallery of Art, and an Astronomical Observatory were among the suggestions, but all these were rejected; and the present establishment, fulfilling in a measure the functions of all, was brought into being by an act of Congress that turned the Smithson fund over to its trustees. The first meeting of the trustees was held on September 7th, 1846, when Professor Joseph Henry was elected the first Secretary.

As stated in his will, the founder wished his bequest to be used to increase and diffuse knowledge among mankind. It therefore follows that the Institution is international, and that its benefits are not to be restricted to the United States, our Government being merely a trustee for the human race. As the Government cannot administer this trust directly, a corporation was created by Congress to which the control of the fund was entrusted and from which an annual report is required. This corporation consists of a number of Directors, known as "The Board of Regents," who virtually have full powers, subject to the general laws of the land. As now constituted, the Board consists of "the Vice-President, the Chief Justice of the United States, three members of the Senate and three members of the House of Representatives, together with six other persons other than Members of Congress, two of whom shall be resident in the City of Washington, and the other four shall be inhabitants of some State, but no two from the same State." This Board of Regents elects the Secretary, to whom is given full administrative power to carry out the aims of the Institution.

As said above, these aims are to increase and diffuse knowledge; and, as a private corporation with means of its own, the

Institution is admirably fitted for carrying them out. The relation of Governments to abstract research is a question on which political economists are not agreed. The safest rule is to extend public aid after some definite result has been accomplished, as is done through patents and copyrights, for discretionary power in such a matter would open the way to gross abuses. On the other hand, a private body, like the Smithsonian Institution, can discriminate, and is not so liable, therefore, to be despoiled, while genuine students are sure of a sympathetic hearing and of assistance of the sort they most need.

Professor Henry did much to advance the great invention of the middle of last century, the electric telegraph. As far back as 1827 he had discovered that, if a weak electrical current were passed through a silk-covered wire wrapped repeatedly about an iron core, a far greater lifting power would be given the resulting magnet than was possessed by any electro-magnet previously known. In 1828 he exhibited before the Albany Institute a small magnet similar to those in use at the present day, and in 1831 he explained the difference between a "quantity" magnet, excited by a "quantity" battery of a single pair of elements, and a "quality" magnet, excited by a number of cells, pointing out at the same time that the latter was the form to be used for telegraphy. Peter Barlow had claimed that a galvanic current became so weakened after traversing two hundred feet of wire that it would not produce magnetism, and that, therefore, an electric telegraph could not be operated over a single mile of wire. Henry claimed that Barlow's magnet was improperly arranged, and to demonstrate this he suspended 1,060 feet of common bell-wire about the walls of the academy at Albany, with a battery at one end and one of his magnetic coils at the other. The armature was arranged to strike a bell and make a signal. The demonstration was complete, and to him is due the first electro-magnetic telegraph ever constructed.

Such was the man who for more than thirty years directed the course of the Institution. In that time he fixed the lines on which it should move, and defined its part in the scientific development of the world. His successors have pursued the policy he laid down, and it is due to him that the Institution has won and holds the friendship of all other learned bodies, with which it is ever an earnest co-operator, without jealousy or

rivalry. Every branch of human thought has felt the influence of the workers connected with it, and many of those who have made and are making America stand abreast of the world in science have been spurred to activity by the genial enthusiasm and kindly sympathy of those within its walls.

The Louisiana Purchase gave to the United States a vast tract of unknown territory, to which the results of the Mexican War made large additions. In 1846, the greater part of the region west of the one-hundredth meridian was unexplored, but the discovery of gold caused such a rush of settlers across the continent that its survey became a necessity. Between 1849 and 1854, the War Department sent several parties through these unknown regions to find practicable routes for railways. The opportunity so presented was grasped by the Smithsonian Institution, and botanists, geologists, zoologists and ethnologists accompanied the expeditions. The results of these explorations were published in the magnificent series of Pacific Railway Reports; and, although these were issued under the auspices of the War Department, they may be ascribed to the Smithsonian Institution without impropriety. The surveys under Professor F. V. Hayden and Major J. W. Powell were aided by money from its funds, as well as by representations to Congress that secured the appropriations needed for their prosecution.

The wisdom of these acts has been proven by the results that have followed. The surveys dispelled the notion of "the Great American Desert," and showed a fertile country where a sandy waste had been thought to exist. They proved that the Rocky Mountains were neither impassable nor inaccessible, but were easily reached, and were filled with minerals of inestimable value. To the artist they revealed scenery that Europe cannot rival; to geologists they showed wonders whose like had never been seen, cañons with walls more than a mile in vertical height, geysers, and marvellous natural sculptures that are unequalled in the world, and beds of former inland seas that hold, as fossils, remains from which the history of life on earth has been deciphered. Ethnologists sent by the Smithsonian Institution have found that this continent was once inhabited by races of men who raised mounds that rival the pyramids of Egypt, and in which are buried memorials of long-forgotten nations. They discovered and described the strange homes built by the "cliff-dwellers" in rifts

of the solid rock. They observed and recorded the customs, manners, rites and religions of the aborigines, and collected their myths, traditions and superstitions before contact with alien beliefs corrupted their integrity. By these researches a new field was opened to science, and civilizations as old as those of Asia were revealed and compared with those already known.

The practical value of these surveys was so apparent that many far-seeing men urged their extension over the whole country. It is evident that work of this description can be done only under national direction, for the methods must be uniform and the results, to be of value, must be reported in the same terms. Beds of ore and other geological formations pay little attention to political boundaries, and only Federal officials can carry investigations to conclusions without hindrances of this sort. The geological division of the Institution co-operated fully with the surveys of the War Department, until they were suspended by the outbreak of the Civil War. After the restoration of peace, the enormous development of the West brought demands on the Smithsonian Institution that its scanty means were unable to meet. As its reports had been the chief means by which the natural wealth of the Western country had become known, it was called on to make the knowledge more perfect, and, however willing, it could not respond to the demand. At last, Congress came to the rescue, and in 1879 the Geological Survey was established to make a systematic study of the whole country. The magnificent series of reports, bulletins, charts and monographs that have issued from this bureau may, without injustice, be regarded as ultimately due to the Smithson foundation.

While this great work was in progress, Professor Henry was organizing a force to make systematic observations of meteorological conditions. Before the Revolution, Thomas Jefferson, afterwards President of the United States, and James Madison, then President of William and Mary College and later Bishop of Virginia, maintained a correspondence in which each informed the other continuously of the atmospheric conditions that prevailed in his locality. Jefferson was at his home near Charlottesville, amid the foot-hills of the Blue Ridge, and Madison was in Williamsburg, in the tide-water section of the Colony, some 120 miles distant. They arranged for simultaneous observations of thermometric and barometric readings, the direction of winds

and such other phenomena as they could record with accuracy with the limited apparatus at command. This was the first experiment of this character, and the original correspondence and records, now on file in the archives of the State Department, show that the idea of an organized weather bureau originated with these cultured men long before it was developed in France.

In 1849, Henry established the Smithsonian meteorological system. The work of Maury on the winds and currents of the sea had shown that such investigations are practicable, and the writings of Espy and others created a demand for similar investigations on land. Henry enlisted the aid of volunteer observers throughout the country who were willing to serve without pay, and a vast store of material was accumulated. The Medical Department of the army co-operated with the civil volunteers, and the Institution supplied instruments so that the observations might conform to a uniform standard. A result of this undertaking was that a great number of people in the country became interested in meteorology, and helped to overcome the opposition that superstition and ignorance offered to its progress. The telegraph companies gave generous assistance, and the practical value of the storm warnings soon silenced the most bigoted opponent of the system.

The quantity of data quickly became immense, and, as soon as a sufficient amount was on hand, the work of reducing it to scientific form was begun. The discussion of temperature and rainfall was assigned to Charles A. Schott, now celebrated for his researches into terrestrial magnetism, who arranged the hourly, bi-hourly and semi-hourly observations of temperature in such a manner that from them tables might be deduced for the correction of daily variations in temperature. He also compiled an elaborate set of tables showing the rainfall in different parts of the country as far back as trustworthy information could be had. Professor J. H. Coffin, of Lafayette College, undertook the work on the winds, and in 1853 his book, "The Winds of the Northern Hemisphere," was published. After his death his "Winds of the Globe" appeared, edited by his son and by the Russian meteorologist, Woeikoff. To meet the expense of these works and to pay for labor other than that of Professor Coffin, the Smithsonian Institution made appropriations from its own income, and thus established the infant science on a sure footing.

It began the publication of daily weather maps in 1856, two years before Leverrier began the publication of the "Bulletin International," and seven years before the weather map was added to it—a fact overlooked by so compendious a work as the "Encyclopædia Britannica." The cost of this service steadily increased as it enlarged its scope, and it became too great a burden for the limited means of the Institution to bear; and in 1869 Congress established the Weather Bureau, placing it under the charge of the War Department. The practical utility of this bureau is so thoroughly recognized that it need not be more than mentioned; but not the least of its services has been freeing the minds of the people from the superstitions and follies that invested the whole subject for so many ages, and showing that the same natural law that prevails in the rest of the universe controls the winds and rains as well.

Professor Henry instituted in this country the plan of simultaneous observations devised by Leverrier in France, and all of the observers noted the readings of the thermometer, barometer and other instruments at certain fixed hours.

In 1845, Sir John Franklin made an attempt to discover the famous "northwest passage" from the Atlantic to the Pacific along the northern coast of America. The expedition was well equipped, and was provided with the two ships "Erebus" and "Terror," but its precise fate is one of the mysteries of the sea. In 1848, the British public began to feel uneasiness about the expedition, and search parties were organized to try to find out what had become of it. The same generous sentiment moved the American people, and Mr. Henry Grinnell, of New York, equipped the "Advance" and the "Rescue" to aid in the search. These vessels sailed in 1850, commanded by Lieutenants De Haven and Griffith, and accompanied by Dr. Elisha Kane, one of the most celebrated of Arctic adventurers. Professor Henry saw in this expedition an opportunity for research into the climatic conditions of the polar regions. The liberality of Grinnell had been reinforced by a grant from Congress, and this enabled the Navy Department to assume management and to detail its officers from the regular service. The Smithsonian Institution supplied these officers with the necessary instruments, and to their reports is due the first accurate knowledge that the world gained of the meteorological conditions of the arctic zone. The subsequent

voyages of Kane, Hayes and others; the disastrous expeditions in the "Polaris" and the "Jeannette," and the later travels of more fortunate explorers, have furnished data from which those who penetrate these forbidding realms may learn in advance the obstacles and perils with which the weather may threaten them. Those of us whose ambitions lie in other lines may learn the causes of winter storms, and, when the causes have been fully shown, may find some preventives.

As the work of the Institution became steadily wider in scope and greater in volume, the labor entailed on its Secretary increased until it grew too vast for his performance. In 1850, Professor Henry asked the Regents for authority to appoint an assistant who should take charge of the department of Natural History and of the infant National Museum. The request was granted, and Professor Spencer Fullerton Baird, then of Dickinson College, Carlisle, Pennsylvania, was offered the post. Two years previously, he had applied for and had been granted the first appropriation made by the Institution for original research, and the sum so obtained had been applied to the exploration of bone caves in southeastern Pennsylvania. This incident seems to have been the thing that attracted Henry's attention to the young scientist and, as further acquaintance ripened the respect of each for the other, the offer and its acceptance were pleasing to both. To Baird fell a large part of the responsibility of developing the various departments and two great agencies have sprung from his labors. Although but one of these is still under the wing of the parent establishment, both take pride in their great founder, and the one that is now independent delights to use its freedom on behalf of its noble parent. These two agencies are the Smithsonian Bureau of Exchanges and the United States Commission of Fish and Fisheries.

The Smithsonian Bureau of Exchanges originated from a suggestion made by Henry and was adopted at a meeting of the Regents on December 8th, 1847. It was merely a plan for the enrichment of the library by exchanging the publications of the Institution for those of scientific bodies abroad, thereby performing the duty of "diffusing knowledge among mankind." The labor of organizing and starting the system into operation was done by Henry himself, but when Baird became Assistant Secretary he assumed charge of the exchanges and brought it to its present

state of efficiency. By means of the foreign correspondents of the Institution, packages intended for exhange abroad were delivered to their consignees and the articles received in return were brought back and delivered without cost and without annoyance. At first this service was solely in the interests of the Institution, but Baird soon extended it to societies, colleges and individuals, and set about a task that would increase its value immeasurably. When the system was inaugurated, the annoying delays and the expenses occasioned by the requirements of the custom-houses added so greatly to the burden as to make it almost more than the Institution could bear, and the new Assistant Secretary determined to remedy the evil. He interested intelligent men throughout the country, and then made persistent and concerted efforts that induced Congress to adopt the enlightened policy of admitting through the custom-houses, free of all duties, scientific publications or other articles addressed to the Smithsonian Institution, whether for its own use or for that of its correspondents. Stimulated by this success, foreign societies urged similar action on their respective Governments with such effect that Professor Henry was able to say, in his report for 1854: "There is no port to which Smithsonian parcels are shipped where duties are charged on them, a certified invoice of contents by the Secretary being sufficient to pass them through the custom-house free of duty. On the other hand, all packages arriving at the ports of the United States are admitted, without detention, duty free. This system of exchange is, therefore, the most extensive and efficient which has ever been established in any country."

The utility of the Exchange Bureau was soon recognized, and those benefited by it availed themselves of its advantages to an extent beyond the available means of the Institution. A circular was sent to the principal transportation companies in 1855, explaining the objects of the bureau, and asking aid in the form of a reduction of rates. The replies show the high appreciation of science in America, for, while some offered a merely nominal rate, the greater number cheerfully agreed to transport the packages free of all charges whatever. This generosity enabled the service to be maintained for the time being, but its expense was still so great that curtailment seemed inevitable in this or some other part of the work that was being done so unobtrusively. The

Department of State tried to persuade Congress to assume part of the burden, but it was not until 1881 that the sum of $3,000 was granted for this purpose. The amount was small, but it was a great help, and gave promise of annual appropriations in the future.

The publications of our Government and of those of foreign countries are often of the utmost importance to students, but it is difficult for libraries or individuals to obtain those issued abroad. In 1867 Congress ordered that fifty copies of all Governmental publications should be put at the disposal of the joint committee on library for exchange through the Smithsonian Exchange Bureau for such works published abroad, especially by foreign Governments, as the committee may consider a fair equivalent, and that such works received in exchange shall be deposited in the Library of Congress. It is apparent that this really threw the cost of making such additions to the Library of Congress on the Institution, and in 1876 this expense reached $10,000—nearly one-fourth of its total income. It was on this account that Congress was moved to aid in the work, but since the time that these appropriations have been available the Institution has been compelled to advance from its slender funds amounts that aggregate $45,175.82 for the transportation of Government documents; not one cent of which has been refunded.

The figures for the fiscal year 1895-96 give an idea of the enormous mass of matter handled by this bureau. From the published report, it appears that 18,550 packages were received from abroad, and 32,079 packages shipped to foreign countries in exchange on behalf of the various departments of the United States Government, while domestic societies received 2,115 and individuals received 3,899 parcels, all of which were delivered at their destinations free of all costs to their recipients. The figures speak for themselves, and show the part played by this wonderful organization in the "diffusion of knowledge among mankind."

A full consideration of the work and usefulness of the United States Commission of Fish and Fisheries would be out of place in this paper, but no account of the Smithsonian Institution is complete that does not contain a reference to its beginning. The depletion of the fisheries of our coast and inland waters became so apparent that Congress was moved to take action looking to

their restoration. In 1871 a bill was passed authorizing the President to appoint a civil servant of the Government who had a practical and scientific acquaintance with fish and fisheries to inquire into the decline, to ascertain if it was real or apparent, and to suggest means for checking it. No pay was to be given for this service, and, although not named in the bill, there was but one man who could fulfil its requirements. This was Professor Baird, and, after being duly appointed by President Grant, he assumed the duties of the office. The appointment was a happy one in every respect, and in nothing was Baird's genius for administration seen to better advantage. No such bureau existed in the world; indeed, even so late as 1884, Mr. Huxley, writing of the exhibit of the Fish Commission at the Great International Fisheries Exhibition in London, said that it is an establishment "whose precise parallel it is impossible to find in Europe," but so broad and true was the foundation on which Baird placed it that the enviable position of practical and scientific efficiency that it now occupies has been attained by following the precepts laid down for it by its founder when such a bureau was an experiment. Although no longer officially associated with the Smithsonian Institution, the two bodies are united by the closest ties of friendship and are in hearty co-operation.

Probably most of the visitors to Washington think of the Smithsonian Institution in connection with the National Museum, and many of those who go to the Museum think it identical with the Institution. The connection of the two is most intimate, but they are distinct organizations: the National Museum being a bureau of the Government, whose employees are salaried officials of the United States, and the Institution, as explained above, being a private corporation supported by its own means. Its relation to the Museum can best be understood in the light of the history of the latter organization.

In 1840 there was a society organized in Washington under the name of the "National Institution," a title afterward altered to the "National Institute." For four years the society was very prosperous and possessed a numerous and influential membership. It gathered the nucleus of a national museum which it deposited in the Patent Office Building, but its greatest service was the cultivation of the idea that such an enterprise was worthy the attention of the United States. The society tried to obtain

official recognition, but its efforts failing in 1846, it became inactive, and finally passed out of existence in 1861. The Smithsonian Institution was organized during its term of life, and one of the bequests to the new corporation influenced the fate of the Museum. This was a cabinet of minerals collected by Smithson, and as the Institution had to care for it the Governmental collections were also put into its charge, when, in 1858, the "National Institute" surrendered what was called the "National Cabinet of Curiosities." The deposits in the Patent Office were removed to the Smithsonian Building, and then received the name of the National Museum. The new Museum was made the lawful depository of all the material collected by the different departments of the Government, but while liberal in assigning duties Congress was not so thoughtful in providing for the costs of caring for the collections. The loving zeal of individuals supplied this lack in large measure, and the work of assorting and arranging the accumulation of materials was performed gratuitously by volunteers, some of whom were of world-wide reputation in their several specialties. Duplicate sets of specimens illustrating the different branches of science were prepared and arranged in systematic order, and were either exchanged for those lacking in the Museum, or were given to colleges, local museums and individuals carrying on original investigations. The funds of the Institution were insufficient to pay for such work, and the public owes a debt of gratitude to those who, like Coues, Cope, Ridgway, Gill and others, gave time and toil to performing a labor of love. In the report for 1870 the total income of the Institution is given as $43,363.12, of which $15,000 was devoted to sustaining the National Museum. The diversion of more than one-third of its entire income for the purpose of taking care of property belonging to the United States seriously crippled the Institution in carrying on its own functions, and in 1871 fifteen thousand dollars was appropriated by Congress and repeated annually for several years. The appropriation is now sufficient, with close economy, to meet current expenses, but there are no funds with which to purchase accessions, and the growth of the collections depends on the activity of other bureaus and the liberality of individuals. Despite this hindrance, the Museum now contains about three and a half million objects.

No sketch of the Smithsonian Institution should close without

a mention of its publications. There are many works whose publication is demanded by the growth of science, but for which the demand would be so limited that no commercial publisher would be justified in issuing them. Such works are published by the Institution, and are either distributed gratuitously or are sold at nominal prices to those who require them.

The publications are in several forms. The annual report contains a statement of the operations of the establishment for the year, and an appendix in which are papers of a somewhat popular nature that bear on almost every field of human thought. A similar report is issued by the National Museum in which is embodied a list of articles based on the collections and of interest to others than professional scientists. The next series is made up of the "Smithsonian Contributions to Knowledge," a set of works that has run into thirty-three volumes, in whose pages is recorded the history of the human intellect for the past half-century. Less dignified than the "Contributions," but not less important, are the "Proceedings of the National Museum," a periodical containing technical papers on various subjects and intended to supply prompt publication to suitable essays, and the "Smithsonian Miscellaneous Collections," whose nature is sufficiently indicated by the name. Finally come the "Bulletins," monographs on different subjects of so high a character that several of them are recognized authorities of the highest order in their respective lines. To these publications is due the wide diffusion of scientific knowledge among the people of the United States, for they go to all parts of the country and are the only scientific papers that reach the masses of the people.

Such has been the result of a single benefaction of half a million of dollars, and perhaps no such result has ever been accomplished by so limited an endowment. Were the great sums given to swell the almost infinite endowments of some of our universities diverted to this unostentatious establishment, its power for good would be immeasurably increased, but as it is the bounty of a stranger and an alien has given the American people an agency for good whose influence is incalculable. It presents an opportunity to those who wish to bestow money for some beneficent purpose such as is given by no other on earth, and its scant means and petty endowment are a reproach to our rich and generous nation. CHARLES MINOR BLACKFORD, JR.

THE NATION'S FIRST PENAL CODE.

BY GEORGE SUTHERLAND, UNITED STATES SENATOR FROM UTAH.

On February 26th, 1908, the Bill to codify, revise and amend the penal laws of the United States was passed by the Senate and transmitted to the House of Representatives for its action. The Bill had been considered during a portion of nearly every session of the Senate beginning on the preceding 13th of January. The debate attracted very little public attention, although the Bill in question constitutes one of the most important pieces of legislation which have been before Congress for many years, embracing, as it does, the entire body of the substantive criminal law of the United States. The Bill was the result of the combined work of the Commission originally appointed in 1897, and the Joint Committee of the House and Senate appointed at the close of the Fifty-ninth Congress.

The Bill, as it finally passed the Senate, consists of 342 sections and is a comprehensive and coherent revision and compilation of all the purely penal laws now to be found in the Revised Statutes of 1878, the First and Second Supplements thereto, and volumes 32, 33 and 34 of the Statutes at Large. Certain administrative statutes containing penal provisions have been omitted, as belonging more appropriately to other titles. This revision will become the primary and authoritative source of the criminal law, and will obviate the necessity on the part of the courts and bar and the people of searching through the various volumes just enumerated.

Any one who will take the trouble to go through the various statutes of the United States will discover that the penal laws are in a most chaotic condition. There never has been any attempt to make a systematic and complete code such as exists in nearly every State in the Union. The first statute defining

crimes against the Federal Government was enacted by the First Congress and approved by President Washington on April 30th, 1790. It consisted of thirty-three sections defining and providing for the punishment of twenty-two enumerated crimes, including treason, murder, piracy, forgery, larceny, perjury and bribery. It was soon discovered that this statute was wholly inadequate; serious offences were committed from time to time which were outside the jurisdiction of any State, and not covered by any provision of the Federal law. Early in the history of the Government, it became a question as to whether or not the common law in relation to crimes was applicable to the Federal Government, and it was decided that, while the common-law principles of interpretation, evidence, etc., with reference to crimes were to be considered by the courts in the administration of the law, there could be no substantive crime against the United States unless so provided by statute. The result was that, from time to time, additions were made by statute to the list of crimes as the necessity therefor became apparent; and as a consequence of this process the body of the criminal law of the United States has become simply a collection of patches, altogether inharmonious, and in many respects conflicting.

Occasional sporadic attempts have been made to correct this condition, but with rather indifferent success. The first attempt was by the Supplemental Act of 1825, written by Mr. Justice Story, which in addition to defining the offences of arson, murder and other crimes upon the high seas and other waters, extortion, forgery of notes and securities of the United States, counterfeiting, etc., contained a section which provided in substance that, wherever any offence was committed in any place under the exclusive jurisdiction of the United States, punishment for which was not specially provided for by any law of the United States, such offence should be punished upon conviction in any court of the United States having cognizance thereof in the same manner as provided by the law of the State within which the offence occurred. By this section it was sought to at least measurably remedy the absence of a comprehensive penal code, but it was held by the courts that, while Congress might thus adopt such of the penal laws of a State as were then in existence, the section did not apply, and Congress had no power to make it apply, to any law subsequently passed by the State, for the reason

that to do so would be to unlawfully delegate to a State the legislative authority of Congress. After a lapse, therefore, of many years, it was found that the Federal Government was in the anomalous position of sometimes enforcing the laws of a State which had become obsolete and had been repealed by the State itself. After 1825 various additions were made to the list of criminal offences by subsequent Congresses, until finally a complete revision of the Federal Statutes was made in 1874, and embodied in the Revised Statutes of 1878. In that revision an attempt was made to collect under one title—namely, Title LXX—those penal provisions which were scattered through the Acts of Congress from the beginning of the Government down to that date. That title consists of 227 sections, and, while it may be regarded as a fairly comprehensive collection of the penal provisions then in force, practically no attempt was made to harmonize the conflicting and inconsistent provisions of the original enactments, but instead these were carried into and perpetuated by the so-called revision.

To eliminate and reconcile these conflicts and inconsistencies was one of the important duties to which the Committee addressed itself. To this end, certain general changes were made in phraseology. In place of a variety of expressions used to designate the class of persons penalized by the various enactments—such as "every person who," "every citizen who," does certain things, etc.—the committee adopted with some exceptions the uniform expression "whoever shall," etc. It was found that in the existing law many offences were in terms made punishable by imprisonment at "hard labor." The imposition of "hard labor" being purely a matter of prison discipline, this provision was eliminated from all of the statutes for the reason that it had sometimes led to embarrassment in the administration of the law. The general Government has comparatively few prisons of its own. Usually persons convicted in the Federal courts and sentenced to imprisonment are committed to some State institution. If the statute under which the prisoner is convicted prescribes "hard labor" as part of the punishment, and the State prison to which he is committed does not as a part of its discipline impose "hard labor," that part of the sentence cannot be enforced, and yet under the statute it must be imposed. Cases have actually arisen where prisoners have applied to be dis-

charged under a writ of *habeas corpus* upon the sole ground that this feature of the sentence was not being enforced. This incongruity is removed by the elimination from the statutes of the words "hard labor" wherever they occur.

Another general change which has been made is the elimination from all the criminal statutes of the designation of the offence: as "felony," "high misdemeanor," or "misdemeanor," and the insertion of a section classifying in general terms offences punishable by death or imprisonment for a term exceeding one year as felonies, and all other offences as misdemeanors. This constitutes a simple and comprehensive classification readily understood and easily applied. Under existing laws the designation of offences as "felonies" or "misdemeanors" or "high misdemeanors" was wholly without discrimination and became the source of much and sometimes harmful uncertainty and confusion, particularly in the matter of determining the number of challenges allowed a prisoner in impanelling a jury.

A third general principle adopted by the revision is the classification of all accessories-before-the-fact as principals, under which an accessory becomes triable for the substantive crime, and the common-law rule—which often led to a failure of justice—that the accessory could not be tried before the conviction of the principal offender unless both were tried together, is abrogated. General provision is also made subjecting an accessory-after-the-fact to one-half the penalty imposed upon the principal, except where the punishment is death, in which case the punishment of the accessory is fixed at not more than ten years' imprisonment.

Finally, the existing laws have been so amended as to provide for the imposition of maximum penalties only, leaving the minimum punishment wholly to the discretion of the trial judge, the committee recognizing that cases frequently arise where even the imposition of the minimum penalty imposed by statute may be too severe. This change is in accordance with the modern criminal codes adopted by a very large number of the States.

The revision also contains a comprehensive definition of the jurisdiction of the general Government as applied to offences within the admiralty and maritime and territorial jurisdiction of the United States. Roughly speaking, crimes punishable by the Federal Government may be said to fall within one of two classes: first, offences against the sovereignty of the Government, such as

treason, violation of the postal laws, counterfeiting, etc.; and, second, offences coming within the cognizance of the United States because committed within localities subject to the jurisdiction thereof, such as murder, robbery, arson, larceny, etc. Under existing law, in defining offences of the latter class, the jurisdictional facts are set forth in each section or act, and apparently without the slightest attempt at uniformity. Sometimes the language fixing the jurisdiction of the offence is comprehensive in its terms, and sometimes so restricted as to omit important places or elements. For example, Section 5,339 of the Revised Statutes provides that "every person who commits murder: first, within any fort, etc., under the exclusive jurisdiction of the United States; second, or upon the high seas or in any arm of the sea, river, haven, creek, basin or bay within the admiralty and maritime jurisdiction of the United States and out of the jurisdiction of any particular State . . . shall suffer death." This definition is fairly comprehensive. Section 5,346 provides for the punishment of an assault with a dangerous weapon upon the high seas, etc., or on board any vessel belonging in whole or in part to the United States, and omits entirely places purchased with the consent of any State for the erection of forts, etc. Section 5,348 provides for the punishment of mayhem committed within any of the places upon land, or upon the high seas in any vessel belonging to the United States or any State thereof, leaving out waters within the admiralty and maritime jurisdiction. Incongruities of this character run through all the statutes relating to this class of offences. The revision, therefore, gathers into one chapter all offences falling within the admiralty and maritime and territorial jurisdiction of the United States, and contains a single comprehensive jurisdictional classification at the beginning of the chapter. By this classification all offences of the kind mentioned are brought within the cognizance of the Federal courts: first, when committed upon the high seas, or on any other waters within the admiralty and maritime jurisdiction of the United States and out of the jurisdiction of any particular State, or when committed within the admiralty and maritime jurisdiction of the United States and out of the jurisdiction of any particular State on board any vessel belonging in whole or in part to the United States, or any State thereof, or to any corporation created by or under the laws of the United States or of any State, Territory or district

thereof; second, when committed upon any vessel registered, licensed or enrolled under the laws of the United States and being upon a voyage upon the waters of any of the Great Lakes, namely, Lakes Superior, Michigan, Huron, St. Clair, Erie or Ontario, or any of the connecting waters, or upon the River St. Lawrence where the same constitutes the international boundary line; third, when committed within or on any land reserved or acquired for the exclusive use of the United States and under the exclusive jurisdiction thereof, or any place purchased or otherwise acquired by the United States by consent of the Legislature of the State in which the same is situated, for the erection of a fort, magazine, arsenal, dock-yard or other needful building; fourth, when committed upon any island, rock or key containing deposits of guano which may be considered as appertaining to the United States. The chapter then proceeds to define the various offences without repeating the jurisdictional elements.

Under existing statutes, murder is not divided into degrees. The revision divides the crime into murder in the first and murder in the second degree, and manslaughter into voluntary and involuntary manslaughter. The language defining various other offences is modernized so as to agree with the more recent provisions contained in various State penal codes, but care has been exercised all the way through to avoid any radical change in the substantive character of the offences as enumerated in existing law.

The limit of an article of this character precludes any attempt to enumerate at length the various other features of the new code. Several provisions of existing law which are clearly obsolete or unconstitutional have been repealed. As illustrating this class, the provision contained in the "Act to punish certain larcenies and receivers of stolen goods" (18 Statutes at Large, 479), to the effect that "the judgment against the principal offender shall be conclusive evidence in the prosecution against the receiver that the property of the United States described has been embezzled, stolen or purloined," has been eliminated as clearly opposed to the provision of the Constitution requiring that every accused person "shall enjoy the right to be confronted with the witnesses against him."

Provisions to the effect that accused persons may be tried either in the district where the offence may have been committed, or into

which he shall carry or have in possession the property embezzled, stolen or purloined, have been omitted as being of doubtful validity, and as unjustly imposing upon the accused person the burden of bringing into the district where the prosecution is had witnesses from perhaps far distant districts where the offence was committed. These considerations in the opinion of the Committee far outweigh any question as to the convenience of the Government in being permitted to select the place of trial.

Another provision which was eliminated by the Committee was Section 3,954 of the Revised Statutes, which made it a criminal offence punishable by fine and imprisonment for any person who, having presented a bid for the transportation of the mails and having received the award, should wrongfully refuse or fail to enter into contract with the Postmaster-General to perform the service, or having entered into such contract should wrongfully refuse or fail to perform such service, and lest any person might escape by reason of the use in the statute of the qualifying adverb "wrongfully," it was further provided "that the failure or refusal to enter into a contract or to perform the service, should be *prima facie* evidence that such failure or refusal was wrongful." This provision may be regarded as something entirely unique in the history of penology. To make the failure or refusal of a person to enter into a contract, or the breach of a contract, even though made with the United States Government, a criminal offence punishable by a year's imprisonment and a fine of five thousand dollars, betrays, to say the least, a failure to observe the distinction which is usually recognized as existing between civil and criminal delinquencies. To violate a contract is wrong, but it is not criminal. The Committee recommended the repeal of the section—which had probably never been enforced—and the Senate concurred in the recommendation.

The Committee also eliminated from the statutes certain provisions attempting to make the violation of a departmental regulation a criminal offence, being careful to discriminate between cases where the regulation is *substantive* in character and where it is merely *incidental*—a distinction not always observed. In the first case, the law is clearly invalid as constituting an attempt to delegate to an administrative officer or department the authority which belongs to Congress to *make* law; in the second class, it is clearly valid as simply designating the *occasion* for

the violation of the law, as, for example, a provision penalizing any postmaster who makes a false entry in any book required to be kept by law or the *regulation* of the Post-office Department. Here the *regulation* prescribing the book in which the false entry is made simply furnishes the opportunity for the breach of the statute, but the crime of making the false entry is determined by the law itself.

The Penal Code will, in the opinion of the writer, constitute a very marked and important improvement over the existing fragmentary, scattered, confusing and conflicting statutes. It will still fall short of being a complete code. Indeed, the very nature of the Federal Government, consisting as it does of forty-six sovereign States, forbids making provision for all of the vast body of crimes to which the jurisdiction of the Federal Government extends by reason of its exclusive legislative authority over certain localities in the various States where the criminal acts occur. Certain offences of this class—in the main of common-law origin—are enumerated and defined, but there still remain many offences against the written law of the various States with which the Federal Government cannot deal by special enactment. Many of such offences are peculiar to certain States, as, for example, the prohibitory liquor laws. As to such offences the general Government can make no uniform law operating in all of the States, because, while applicable to some States, it would be wholly inapplicable to others. This class of cases can only be covered by the general statute which the Committee, with some changes and amendments, has included in the revision, making an act penalized by the law of the State an offence against the Federal Government when committed within the limits of the State in or upon any place subject to the exclusive jurisdiction of the Federal Government.

It is the intention of the Joint Committee of the two Houses to proceed with the consideration of the remaining general laws as speedily as the importance of the work and necessity for care will permit, to the end that when it shall finally be completed and adopted by Congress we shall have a complete revision and compilation of the Federal law that will be harmonious and consistent.

GEORGE SUTHERLAND.

THE NEW IRELAND.—IX.

THE UNIONISTS.

BY SYDNEY BROOKS.

I HAVE now passed in review the chief of the forces that are shaping a new Ireland. There is the Sinn Féin movement scouting the very idea of Parliamentary representation at Westminster and urging upon Irishmen the policy of boycotting England and all things English in Ireland itself. There is the Gaelic League which has touched and thrilled the secret chord of Irish nationality, and stirred into tingling life the dying sense of racial self-consciousness. There is the co-operative movement organizing, and therefore revolutionizing, Irish agriculture on a basis of self-help. There is the immense but by no means the complete or permanent pacification of the peasantry induced by the Wyndham Act. There is that strong, pervasive and most hopeful inclination towards the practical and constructive which is burrowing its way into many a stout citadel of prejudice and apathy, has given a new economic turn to Irish thought and interests, and has borne already in the Department of Agriculture and in the industrial revival fruit that will ripen and endure. All of these movements have this in common—they converge upon the individual, and through the individual they seek to regenerate Ireland from within, to convert responsibility from a platform platitude into a duty realized and acted upon by each and all, and to place in Irish hands the direction and development of Irish progress. And collectively I cannot doubt they are working a profound transformation in the soul, the instinctive ways of looking at things, the political perspective and the whole social and economic structure of the Irish people.

Very few of the formulas of ten or fifteen years ago apply to the

Ireland of to-day. Even in Belfast disintegration spreads apace. Even in that mercenary stronghold of Unionism and bigotry, of far-seeing commerce and myopic politics, the foundations are beginning to tremble. The capital of the "Black North," the city of inexhaustible industrial marvels, is the Chicago of Ireland. Its people have developed a type of character almost as repellent in its strength as that of the Celts of Connaught is attractive in its weakness. Their splendid energy, fearlessness, force and tenacity, their almost matchless combination of power and efficiency, do not make them an ingratiating community. They are intolerant, uncouth, commercialized, rough-tongued, provincial. There is probably no spot in the world where 350,000 people produce so much wealth as in Belfast. Their ship-yards and linen-mills, their tobacco-factories and distilleries, their printing-works and rope-factories are the emblem of a magnificent conquest over inconceivable odds, a fine and indisputable record of industrial achievement. To grant them all that and to realize its significance is to understand, though not necessarily to sympathize with, their attitude, their natural and quite inevitable attitude, towards the five-sixths of Ireland that is Catholic, chimneyless, moribund and dreaming. If Chicago were planted in Lower Quebec, how would it feel and act towards its hinterland? Belfast remains, as one would expect it to remain, a hotbed of unbending Protestantism and almost ferocious Unionism. There is little community of interests or sympathies between itself and the rest of Ireland that it can be brought to feel or acknowledge. Having almost the monopoly of applied intelligence and commercial prosperity, having also Popery on the brain and its eyes on the counting-house, Belfast simply asks of Catholic Ireland to be let alone. It has persuaded itself that Home Rule not only means an incessant and harassing attack upon its industries, but is also a synonym for Rome Rule. With all their hard-headedness and practicality, the men of Belfast and Ulster, too, true to their Scottish origin, are a singularly emotional people. They still celebrate the Battle of the Boyne and drink to the immortal memory of William III as though the first were an event of yesterday and the second an active figure in present-day politics. They still speak of the Pope as though a new Armada were on the point of sailing. Outside of business, indeed, the men of Belfast seem hardly to care to reason at all. Their political

creed is really a political cult, a compound of fears, instincts, hatreds and suspicions in which facts are metamorphosed out of all semblance to reality. Discussing Irish questions with them was, I found, very much like attempting to argue the race question with a Southern planter of the old school. They are a city of Tillmans; and the very qualities of earnestness, virility and obstinate fidelity to the few leaders who win their reluctant trust that have made them so formidable, have made them also the dupes of their prejudices and the easy prey of men to whom the rawness of the Orange creed is nothing but a laughable stepping-stone to place and power. Talk of the mob-ruled, convention-rigged opinion of Nationalist Ireland! It is to the cities of Ulster you should go if you wish to see the apotheosis of glib and fraudulent bossism; to Belfast and Londonderry and the neighboring counties, with their fantastic fear of "persecution," the queer perversity that has led them to confound Protestantism with Unionism, and their quite touching faith in the constancy of England's protection—a whole jumble of misapplied and misdirected enthusiasms witlessly serving the turn of landlord and lawyer interests.

But no community can wholly escape from its past. The Ulster of over a hundred years ago, whose Orangemen were the strongest of Irish Nationalists, whose citizens were the backbone of the Volunteer movement; the Ulster that splendidly re-echoed to the French Revolution and would willingly have shouldered a musket for the rights of man as well as for the wrongs of Ireland—is not altogether dead. Some breath of the old spirit still survives, and unless I am wholly mistaken is daily gaining a new confidence and vigor. Young Ulster is sheering off a point or two from the rock-ribbed faith of its fathers. It is beginning to abandon the theory that its whole purpose is to serve as an English garrison; it is cultivating a sentiment of loyalty to Ireland as well as to England. Many factors have combined to produce this change. It took rural Ulster long to realize that Catholics and Protestants, North and South, had a common interest, and substantially a common grievance, in the land question. But the lesson has been learned at last. If Irish Nationalism, as I have before observed, has been largely an agitation to beat rents down, Irish Unionism has been not less largely an agitation to keep them up. And in Ulster they have been kept up by the

simple expedient of playing upon the Protestantism and the loyalism of the tenant farmer, and persuading him that religion, the Crown and landlordism were interchangeable terms. The landlords have seized upon and worked the bigotry and the organization of the Ulster Orangemen for themselves and their rent. I do not think they will be able to do so much longer. Thanks to the inspiring and indomitable leadership of men like Mr. T. W. Russell, the Ulster tenant farmer is fast coming to see that between himself and the evicted tenant of Kerry there is very little to choose and that both, in their different ways, have been equally the victims of an unblushing political confidence trick. It is in Ulster that the next great movement in the tortuous history of the Irish agrarian question, the movement for the compulsory expropriation of landlordism, will find its strongest backing. Meanwhile the workings of the Land Purchase Acts have helped enormously to clear the ground. The landlords are still throughout the province the dominant oligarchy, but their ascendency is no longer unchallenged; while their allies in the towns, the lawyers, the big business men and the upper bourgeoisie find their political rule vigorously assailed.

One must remember that Ulster is very far from being solidly Protestant or solidly Unionist. In three of its counties the Catholics are in an overwhelming majority; in three others Protestants and Catholics are nearly equally balanced, with the result that political contests are fought out there with an intensity and determination that, I suppose, are paralleled nowhere in the world; while in the remaining three the Protestants are by far the more numerous. But taking the province as a whole, the two creeds approach a numerical equality, the Catholics being in a minority of no more than twelve per cent., while the political representation is almost evenly divided between Nationalists and Unionists. It is probable, indeed, that there are actually more Home-Rulers than anti-Home-Rulers in Ulster, many thousands of its Protestants being among the most steadfast and vigorous champions of the National cause. This approximation to a balance between the adherents of the two religious and political faiths, if it has made Ulster the predestined battle-ground of a fierce party, sectarian and social strife, has had also the result of making the indefinite continuance of Ascendency impossible. When democracy arrived—as it arrived, for instance, ten years ago

in the shape of the Local Government Act—the rule of a single class or a single faction was doomed and a rough-and-ready ratio was established between numbers and power. The old territorial and commercial, social and political oligarchy that used to hold the whole province in its grip is now confined to the counties of Down, Antrim and Derry with the towns of Londonderry and Belfast. In the rural districts landlordism in Ulster, as throughout Ireland, has been pretty effectually dethroned by the agrarian revolutions of the past thirty years. In the towns the once omnipotent Ascendency Party has to face an unparalleled concentration of attack. In Londonderry, for instance, Unionism only just manages to hold its own at vast expense and by prodigies of legal dexterity in the electoral revision courts. In Belfast a vigorous Labor Party has arisen, has already wrested one constituency from the "old gang," and at the next election will probably do better still. As a modern industrial city, largely Scottish in complexion, largely Presbyterian in faith, the natural spirit of Belfast is that of an advanced Radicalism. Hitherto this spirit has been held in check by the fear of the Pope and the fear of Home Rule. But it is now finding definite expression. An Independent Orange League was started some five years ago and has already grown into a considerable power. When we remember what Ulster has been, nothing could well be more significant than the policy it has formulated. For the League, while strongly Protestant, is also strongly democratic, strongly anti-sacerdotal, strongly Irish. It addresses itself to "all Irishmen whose country stands first in their affections," and it seeks to unite them all on a common plane of nationality. It is opposed to clericalism under whatever guise, Protestant or Catholic. It is not less opposed to Toryism. It would take public education out of the hands of the clergy and the priests and place it under the control of the County Councils. It denounces Dublin Castle with the fervor of a Nationalist M.P. It scoffs at the old-fashioned negative type of Unionism as an unintelligent and discredited creed. It is an effort, in short, to rouse the dormant democracy of Ulster against the domination of a class, to release Ulster politics from the grip of a selfish and do-nothing oligarchy, and to bring Irish Protestantism once more into the main stream of Irish life. The great blunder of the Irish Protestant in the past has lain in supposing that England and not Ireland was

his native country; that to be loyal to the Throne he must be disloyal to Ireland; that Irish individuality, Irish ideals and Irish genius could only be fostered and developed by Anglicization; and that to make Ireland loyal and prosperous she must lose her distinctive nationality and nature along English lines. The Independent Orange League is a token that even in Ulster the stupendous folly and fallacy of such a policy and such an attitude are becoming recognized; and it means, I conceive, much for the future of Ireland that Young Ulster should no longer be satisfied to be the passive tool of a faction, to nourish a barren sectarianism or to look across the Channel for the centre of national interests, but should stretch out a frank and friendly hand to its Catholic and Nationalist fellow countrymen of the South and West. Nor does the League stand alone. The Local Government Act, the Department of Agriculture, the co-operative movement, and to a lesser extent the Gaelic League are having an immense and pacifying effect in bringing men of all creeds, classes and parties together for the common good. These are factors that are making steadily for the establishment of a greater communion between North and South. They are omens of the time when the two Irelands will be one, and intolerance, hatred and contempt will be merged in the synthesis of common interests and a common patriotism. I do not mean to say that Protestants and Catholics have fought their last disgraceful fight in the streets of Belfast, or that the great landlords and manufacturers of the North have as yet appreciably abated their antagonism to Home Rule, or even that Ulster will submit to any radical change in the form of Irish government without raising a tremendous fuss. But I do mean that influences are at work which seem destined to break down the isolation of the North, to create among all Irishmen a new sense of interdependence, and to revive in the Protestants of Ulster something of that old devotion to Ireland which was once their proudest title.

The Unionists and Protestants in Ulster form a compact and effective body. Throughout the rest of the country, with the exception of Dublin, they are little more than scattered and isolated units, powerful in wealth, social influence and commercial ability, but outnumbered and outvoted by the Nationalists and with next to no representation either in local or in Imperial affairs. They are landlords, judges, lawyers, land agents, the leading men in

business and finance, Castle officials, professional men, nearly all, in short, who in any country compose the aristocracy and the upper middle class. For the most part they are the descendants of English colonists just as the Unionists and Protestants of Ulster are for the most part the descendants of Scotch colonists. Together these two divisions make up the British "garrison" in Ireland, numbering in all about a million and a quarter. The Irish elective peers who sit in the House of Lords are drawn exclusively from their ranks, and they return to the House of Commons some twenty members as against the solid, mechanical phalanx of eighty Nationalists; but from the business of municipal and county administration in Ireland, except in Dublin and a few districts in Ulster, they are almost wholly excluded. They were once the party of Ascendency; they are now, to a very large extent, the party of subjection. They once held all the offices and ruled the whole country as they pleased. They are now desperately battling for the last remnants of an authority that in the eighteenth century was absolute in every corner of the land. One by one their privileges have been whittled away and their political powers torn from them. The rise and abject fall of her aristocracy makes, indeed, one of the most melancholy pages in Ireland's history. As a class their failure in almost every relation of life has been prodigious and unique. They have failed as landlords, as leaders, as the instruments of English policy and the guardians of English interests. I am far from thinking that the fault has been wholly their own. The policy they were intended to serve was vicious in principle and irresolute in practice; the interests entrusted to their care committed them to a ceaseless warfare with their surroundings. An aristocracy in the real sense they have scarcely had any chance of being; their functions and their proper appellation were from the first those of a colonizing caste, a privileged oligarchy, a faction imposed and upheld from without. Conquest created them; forfeitures and confiscations established them; the arms of an alien Power have maintained them. They were placed in an impossible position, but they have themselves aggravated every disability to which their situation exposed them. As missionaries of empire their failure has been little less than grotesque; they have neither coerced nor conciliated the masses of the people into attachment to British rule. The vain and barbarous hope that they might

wean the Irish masses from their ancient faith has died as it deserved to die. Put in supreme authority over a people pre-eminently aristocratic, they have proved lamentably unable to win either their affection or respect. The popular leadership that was in their grasp they allowed to pass into the hands of priests and politicians. They have thought more of exploiting and oppressing the country that lay at their feet than of developing and civilizing it. They have consistently put the rights of property above the rights of humanity. They have occupied the country, but have not governed it, or have governed it only in their own class interest. Their ascendency has been the beginning and the end of their politics. Instead of effecting the moral conquest of Ireland, of elevating her, of identifying themselves with her fate and aspirations, they have preferred to remain an alien and suspected colony, "mercenaries of England, and parasites of Ireland." As landlords the English colonists in Ireland have earned a world-wide infamy. Absenteeism, the rack-renting middleman, the establishment of competitive rents, ruthless clearances and evictions, and the systematic exploitation of a land-hungry peasantry, have been their chief contributions to Irish well-being. Is there in all history a class that has so missed its opportunities? The Irish gentry at the time of the Union sold their country and its liberties for gold and titles. There is not an abuse in State or Church or in the social order that they have not sought to perpetuate, not an iniquity they have not justified, not a reform they have not obstructed. Remorseless in the days of their triumph, they have borne themselves neither with dignity nor sense through the protracted stages of their downfall. One sees their representatives to-day in the House of Commons a dwindling and discredited band, without leaders or any positive programme, still scrambling for the last perquisites of privilege, still screaming for coercion, still declaiming against the "rotten, sickening policy of conciliation," still vilifying their countrymen, still betraying in speech and bearing and policy the venom and arrogance of an alien caste.

Is this to be their final end? Are they to go down into history simply as the most stupid and sterile aristocracy that the world has yet known,—stupid because they have leaned on England, the England that will always fail them, instead of throwing in their lot with their own people, sterile because they will not ac-

cept the revolution they cannot prevent? Is posterity to have nothing more to say of the Irish gentry as a class than that, having abused all their privileges and thrown away all their chances, having earned the hatred of Ireland and the contempt of England, they pocketed the bonuses on the sale of their properties and passed sulkily into oblivion? There is the possibility that, after all, such may not be their epitaph, and that even at the eleventh hour the Irish aristocracy may escape the last reproach of Bourbonism. They have still one chance left of redemption. They are still, in spite of everything, the natural leaders of the people from whom they have unnaturally turned away; and Ireland, in the times that are coming, will more than ever have need of them. It is not a dream to imagine that their power of beneficent utility among a leader-loving people may yet be revived. Whatever their own blunders and shortcomings, there is, as I have said, a large sense in which history has made them what they are, the victims as well as the executants of a policy forced upon them from without; and the presumption, therefore, exists that as the conditions of Anglo-Irish relations change and begin, as they are beginning, to pass into a milder, mellower phase, the temper and aims and methods of the Irish aristocracy will insensibly change with them. I have already shown that the resultant of many converging influences is to make a breach in the aloofness of the ruling caste even in Ulster, to sap their political strength, to weaken their confidence in the possibility of holding their own on a basis of mere negation and to modify their anti-national spirit. But the effect of these influences, their general effect on the whole country and their more specific effect on the future and forces of the gentry who are the leaders of Unionism, has been enormously reinforced by the Wyndham Act. That great measure of appeasement is not, to be sure, the last word in Irish agrarian legislation. It has already disclosed some serious administrative and some still more serious financial defects. It needs amendment; it needs to be supplemented, and unquestionably it will be supplemented, by a Compulsory Act. But no one can doubt that it embodies the principles that will govern the final solution, if there is any final solution, of the Irish land-tenure problem. No one, that is, can doubt that within the next twenty or thirty years landlordism will be extinct and Ireland will have been converted into a land of peasant

proprietors. The agrarian question, or rather, one form of it, is on its way to settlement; it is losing its old class contentiousness; above all, it is gradually ceasing to provide the motive-power for political agitation.

The land, one must remember, has always been at least as much the centre and rallying-point of Unionist defence as of Nationalist attack, and it means, perhaps, even more for the future of Ireland that the Unionists and the aristocracy should cease to be landlords than that the Nationalist peasants should become proprietors. The last emblem and stronghold of the British "garrison" has been their ownership of the land. They are now selling it as fast as circumstances permit; a generation from now they will have sold the whole of it. The ultimate effects of so great a revolution are beyond surmise. But one thing, even if it is the only thing, seems fairly certain. If the Irish gentry, having sold their estates, proceed to part with their demesnes as well, their mansions, "grounds" and parks, leave the country and transfer themselves to England, then their race is finally run, the curtain falls, and, so far as they are concerned, all is over. But there are many inducements to a higher choice. After all, Ireland is their home and they are Irish; the cheapness of living and the abundance of sport make their obvious appeal; the tenants with whom they were always at war will soon have become neighbors with whom they can live in peace; and the former landlord who continues to reside on his demesne as a country gentleman will find ready to his hand a new and beneficent sphere of activity, a great work clamoring to be done. To guide, instruct and encourage the new proprietors, to set the peasantry on its feet, to raise the level of rural economy, and to restore to the countryside its lost amenities—these are the tasks to which the Irish gentry are called, and in the discharge of which they may yet redeem their unhappy past by taking a secure, leading and incalculably useful part in promoting future progress. The abolition of landlordism really gives the Irish gentry their first opportunity of fulfilling the true functions of an aristocracy. How many of them will realize it I cannot tell, but it is an encouraging omen that so far comparatively few of those who have sold their estates have emigrated from Ireland. They seem on the whole inclined to stand by their country, and it is a moderately safe speculation that those who settle down on

their demesnes under the new conditions will insensibly come to look upon themselves less and less as fighting units in the British garrison and more and more as Irishmen. They will identify themselves with the people; they will begin to share their National aspirations; the spirit of Irish patriotism may again descend upon them; and the future government of Ireland may be a Home-Rule government, with the consent and at the prompting of Irishmen of all classes, creeds and parties. More unlikely dreams than that have come true.

It is, therefore, quite conceivable that the cause of Unionism in Ireland may before very long become conscious of a slackening allegiance on the part of the very class which for centuries has been foremost in its support. Nor is it only the possible defection of the rural gentry that promises a profound modification of the old Unionist attitude. Ireland used to be all black or all white, all Nationalist or all Unionist. But within the last few years there has come to the surface a neutral, grayish tinge of political opinion that, while anxious to preserve the Parliamentary union between the two countries, favors a wide and liberal extension of Irish control over purely Irish affairs. This, it must be borne in mind, is not a recession on the part of the Nationalists; it is an advance on the part of the Unionists, not of all Unionists, but of some of their most enlightened and constructive members. The Nationalists still remain steadfast to Home Rule, but certain Unionists who have become alive to the expensive inadequacies of the Irish form of government, who realize its lack of responsiveness to the needs and sentiments of the people, and who diagnose the Irish situation as offering a choice between immediate upbuilding and rapid decline, have broken loose from the prejudices of their class and environment and are groping their way towards a policy which, without being Home Rule, will go a long way towards satisfying the Irish sense of nationality and will unite all Irishmen on a non-partisan and non-sectarian platform of internal betterment. Under one organization or another, as members of the Irish Reform Association, or as Devolutionists or as "Imperial" Home-Rulers, these men are gradually weaning Unionism from a policy of mere resistance to a policy of positive amelioration, are building up a body of moderate opinion, and are organizing Irish sentiment against the continuance of many tangible and recognized abuses. So far

their movement has produced rather economic than political fruit. The conference of 1902 between landlord and tenant that partially ended the devastating fight for the soil, the agricultural co-operative movement, and the new importance which actualities are acquiring in the Irish mind, are all very largely due to the conciliating and practical efforts of the new Unionism. On the other hand, the Irish Councils Bill of 1907, which put into legislative form the political views of the Devolutionists, was rejected, unwisely and hastily, as I think, by the Irish people. The important thing, however, is less the fate of their particular proposals or their numerical strength in the country, than the fact that a growing body of Unionists should be conscious of the need of administrative changes, should admit that the present form of Irish government is neither perfect nor immutable, should proclaim aloud the existence of a genuine and distinctive Irish nationality and should be endeavoring to bring all classes and parties together for purposes of material reform. Their movement already embraces many of the aristocracy and gentry and of the leading men of affairs in Ireland. It is forwarded and encouraged by the disappearance of the old anti-Irish bitterness in England and by the multiplying proofs that English Unionists are growing less and less willing to take their cue on all Irish matters from the rabid "Ultras" of the North. To prophesy its future with any definiteness is impossible. One can do little more than note it as a hopeful and significant token of the new Irish aspiration after unity and constructive achievement. This much, however, may perhaps be ventured—that the broad direction of events points to the decay, and final extermination, of the old type of negative, *fainéant* Unionism and to the gradual approximation of all Irishmen towards a common centre. The barriers which for seven centuries have separated class from class and creed from creed are being torn down, and the time is coming when Irishmen of all ranks may meet and know one another and fraternize in the task of building up a really national life on a new basis.

SYDNEY BROOKS.

THE SINGER OF THE SHADOWS.

BY AGNES LEE.

"If I could dwell
Where Israfel
Hath dwelt, and he where I,
He might not sing so wildly well
A mortal melody,—
While a bolder note than this might swell
From my lyre within the sky."

—EDGAR ALLAN POE.

From far beyond all death, all spaces dark,
With art sublime,
The singer of the shadows came to mark
His land, his time.

Stranger to joy, in bitterness he trod
The ways of men.
The hour's reality was not his god,
Nor day his ken.

His tenebrous thoughts harmoniously soared,
On sovereign breath,
In mystical vibrations of the chord
Of night and death.

Poet of grief, he sought her loneliest cave,
Her ultimate aisle,
Her ruined keep, her mouldering architrave
And peristyle.

Poet of tombs, the midnight was his theme.
Adventuring far,
He pierced the opal centre of a dream,
Or of a star.

Poet of beauty, he bestowed her sleep,
And rich rebirth
In music marvellous, fantastic, deep,
To thrill the earth,—

Each note, the whisper of a soul, apace
O'er passion sped,
Driven to crowd the ghostly populace
Of voices dead.

Let those who walk with lore the beaten road
From others ask
The daily bread of thought, cheer for the load,
Sun for the task.

An hour there is when sunshine brings to pain
Unfaith, unrest,
When she would feel the footfalls of the rain
Upon her breast.

Then, circled in a misty aureole,
His charm distils
A craved narcotic for the fevered soul
From sorrow's hills.

Dear singer! Human hearts shall ever hold
His melodies.
They flash their beacons over manifold
Fair lands and seas.

England acclaims him. France, attuned, aware,
Greets him with bay,
And calls him brother, through her Baudelaire
And Mallarmé.

And we to-day the sweeter count the soil
That drank his tears.
His dust has flowered. The darkness of his toil
The light reveres.

Too long have lettered dwarf and neophyte
  Cast him their stones,
Who flesh beheld, not spirit, worked their blight
  Above his bones.

Enough of slander! Bolted be the gate
  To evils wild
Envies evolve and lies perpetuate!
  Art owns her child.

. . . . . .

Cradle him soft, O Art! who only knew
  To speak thy tongue,
Thou being his life, and his life's residue
  The dream unsung.

Thy lesser planets let his glow outlive,
  High and apart,
Who, earthbound, gave thee all he had to give,—
  His tortured heart.

Pride has departed, Doom has crossed the door,
  Love calls farewell.
But from thy firmament forevermore
  Shines Israfel!

AGNES LEE.

NEW BOOKS REVIEWED.

BY EDITH BAKER BROWN, BRIAN HOOKER AND BRANDER MATTHEWS.

THOMAS BAILEY ALDRICH.*

"How much T. B. would have liked it himself!" said one of Aldrich's intimates the other day, in speaking of Mr. Greenslet's recently published life. "Other biographers were talked of, but I don't believe one of them would have succeeded so well. Greenslet has done it with precisely that light touch which does give one some impression of the man himself. Do you know, T. B. has always reminded me of those lines in 'Much Ado' (how beautifully Ellen Terry used to say them!), 'Then a star danced, and under that star I was born.'"

Indeed, one sees at a glance Mr. Greenslet's purpose in composing a volume of such modest dimensions, as biography goes nowadays, spaciously printed, and with a list of chapters which reads like a pleasant story from Aldrich's own hand. Those who know how great was the wealth of material from which the biographer had to draw (for Aldrich's provocative gift of wit and friendship drew the best within his circle and made his correspondents almost as significant and delightful as he was himself) may regret many omissions. But the omissions suggest something of the artistic atmosphere of the subject as a more redundant narrative could not have done. Something of Aldrich's own delicate and fastidious art has gone into the composing of this volume, which remains chiefly a collection of letters with a thread of interpretative narrative and a critical postlude of perfect discrimination. Mr. Greenslet has none of the journalistic zeal for a provocative point of view. It is his subject rather than himself which he is content to let speak: "Tom Bailey," "The Hall

* "Life and Letters of Thomas Bailey Aldrich." By Ferris Greenslet. Boston: Houghton Mifflin Co.

Bedroom," "Arrival," "Beacon Hill," "Ponkapog," "The Atlantic Monthly," "Indian Summer Days," "The Last Years"—as we go on from chapter to chapter that bright and virginal soul which was Aldrich lives again as it lives in the pages of the "Bad Boy" and "Marjorie Daw," and more and more distinctly we trace in the man the traits of a poet whose art had a singular clearness of aim and of accomplishment.

Mr. Greenslet says of the letters: "Aldrich was not a born letter-writer; he never, like Lowell or Stevenson, cultivated letter-writing as a fine art, still less did he ever pour out his 'soul' in lyrical effusion, like, say, Lafcadio Hearn. He wrote a letter, when he did write one, chiefly because there was some compelling occasion to do so, but never perfunctorily, never without the magnetic personal touch, the sincere friendly expression, and rarely without some sparkle of his inextinguishable wit. If the reader will let them have their way with him, there is no intimacy of temperament, no significance of event, no hue of background that they will not disclose." This is the reader's own final conclusion, but his first impression—and first impressions have their value, however they may be qualified by afterthoughts—is not the "intimacy of temperament" that we associate with the poet. As a charming social spirit, as humorist, pre-eminently as critic, Aldrich reveals himself. But of "lyrical effusion," of "soul" biography, there is practically none. Of his letters to his betrothed the biographer says, "In their sincerity, courage and humor they lay bare the very heart of the man—so intimate is their character that the pen pauses in the attempt to characterize them, and quotation is out of the question." That is as Aldrich himself would have wished, who said about a certain letter of his own, quoted without his knowledge, "I hope it was not too *intime,* for I don't like to wear my heart on my sleeve. The more I feel, the less I say about it." And yet though the omission of these letters is a delicate and even eloquent omission, it alters the values of the portrait, and leaves our imagination to construct the inner life of passion and of poetry, all the more because with Aldrich, as with Hawthorne, the emotional reserve of the man broke down only with one. It would be a very serious loss to the portrait if Aldrich's poetic gift itself were not touched by the same inviolable reserve.

But to the letters, with their charm of friendship and bubbling

humor, and their trenchant comment on things literary and especially American things literary. One hardly sees how, fresh from a reading of them, any critic could have the hardihood to dispute Mr. Aldrich's claim as a writer of prose. Novelist he may not have been in any large sense—though the author of "Marjorie Daw" and "The Story of a Bad Boy" does not need to be measured by the novelist's rule. But there is humor as irresistible as Stevenson's, and never overtaken by the self-consciousness that now and then troubled even Stevenson's social muse, and occasionally a bit of prose, full-flavored, poetic, worthy of Keats himself. We are thinking of a certain letter to Howells, half-whimsical, half-melancholy, touched with the pathos of passing things. It is hard to choose from material so rich, but this passage from another letter written to Stedman after six years' residence in Boston serves the double purpose of showing Aldrich's intellectual bent and catching the flavor of his wit:

"In the six years I have been here I have found seven or eight hearts so full of noble things that there is no room in them for such trifles as envy and conceit and insincerity. I didn't find more than two or three such hearts in New York, and I lived there fifteen years. It was an excellent school for me—to get out of! I wonder that I got out of it with my English tolerably correct. It is a great world, and I would come back to it (you see I am writing as if I were a disembodied spirit with particularly snug quarters in Heaven) if I could drive a four-in-hand, own a couple of opera-houses with all the Terpsichorean live-stock, and be colonel of the Ninth Regiment in pleasant weather. Nothing short of this would induce me. Life in a young palace here, with plenty of friends and books and reasons for loving both, is better than poverty in New York."

And lest some profane New-Yorker should comment on Aldrich's provincialism, here is the opening paragraph of our critic's last letter:

"Dear Woodberry,—I have just finished reading your 'Emerson.' It is a beautiful book, and is to be rated with your finest critical work. How fine I consider that you know of old. I was freshly impressed by your statement of the gray atmosphere and severe surroundings of Emerson's life. What a salted-down and austere existence it was! How few luxuries in it! Emerson's mind would have been enriched if he could have had more terrapin and less fish-ball."

Again this whimsical fling at contemporary taste in literature is most characteristic:

"I shall go there without any literary plans, unless I carry out my idea of turning 'The Eve of St. Agnes' into Kiplingese. Wouldn't it be delicious!

"'St. Hagnes Heve! 'ow bloomin' chill it was!
The Howl, for all his hulster, was a-cold.
The 'are limped tremblin' through the blarsted grass,'
Etc., etc.

I think it might make Keats popular again—poor Keats, who didn't know any better than to write pure English. The dear boy wasn't 'up' to writing 'Gawd' instead of God."

Here, certainly, we have a critic with his own clearly defined intellectual personality. Of Whitman he writes:

"Where he is fine, he is fine in precisely the way of conventional poets. The greater bulk of his writing is neither prose nor verse, and certainly it is not an improvement on either. A glorious line now and then, and a striking bit of color here and there, do not constitute a poet for the *People*. There never was a poet so calculated to please a very few."

And of Lanier he says: "I think Lanier was a musician, and not a poet."

Somewhat in this way, doubtless, a member of the French Academy might speak, if he were born into Boston and called upon to pass judgment on American letters. As a critic Aldrich had his canonical code, a body of tradition behind him, and a great reverence for the technique of his craft. He was artist in every fibre of his finely bred intellectual personality, and to an extent hardly counterparted by his American contemporaries. If there is a touch of caste in his judgments, we forgive them, because they are so utterly without personal prejudice and rancor, and because he brought to his own work the same cool and dispassionate consideration. Letters in this volume to Mabie, to Sherman, and to others have forestalled all future criticism of his work in their modest self-knowledge. Indeed, there was no one more open to criticism, less occupied with the little vanities of authorship, than Aldrich. Only for his ideal was he a partisan.

"'What you say about over-elaboration,' he writes to Stedman, 'is admirable. That is *bad* technique. The things that have come down to us, the things that have lasted, are *perfect in form*. I believe that many a fine thought has perished being inadequately expressed, and I know that many a light fancy is immortal because of its perfect wording. Moreover, I have a theory that *poor material* is incapable of the highest finish. You can't make even statuettes out of butter.'"

If Aldrich's letters had no other distinction, they would still be a priceless manual for critics, in our uncritical land.

And yet we have to deal finally not with a critic but with a poet. Perhaps one reason for that superficial impression of this life that it is not pre-eminently a poet's biography, is the entire lack of romantic egotism in the subject. As Aldrich himself says humorously of Poe: "I've an idea that if Poe had been an exemplary, conventional, tax-oppressed citizen, like Longfellow, his few poems, as striking as they are, would not have made so great a stir." Partly, too, it is the effect of the biographer's reserve, but that is a reserve very clearly reflected in Aldrich's own muse. In a very significant note to an "Atlantic" contributor, Aldrich says: "Why should we print in a magazine those intimate revelations which we wouldn't dream of confiding to the bosom of an utter stranger at an evening party? In what respect does the stranger differ from the public which we are so ready to take into our confidence?" And one thinks immediately of a certain well-known poem of Aldrich, which has been purged of its personal references in the last edition. But there is something here other than a self-conscious guarding of the emotions. There is the temperamental necessity of a peculiarly sensitive gift. "If anything should happen to my boy I'd never again set pen to paper," he wrote, before the great sorrow of his life, and, as a matter of fact, "his literary faculty was shrivelled by it," writes his biographer, "as by a touch of evil magic." One thinks by contrast of the thrilling beauty of Emerson's "Threnody" and how it welled straight out of the deep heart of passion. It is a typical difference of genius. Aldrich's personal life was singularly concentrated and deep, but his delicate art was meant to be the vehicle of lighter moods than the full-charged heart of passion, and he was entirely content to have it so.

It is this entire faith in his own particular poetic mission which is the secret of Aldrich's perfection as an artist and part of the man's own singular simplicity of character and of temperament. He was untroubled by artistic aims not his own; perhaps he did not greatly care for them, as a more versatile and complex sympathy like Mr. Howells's has cared for them. By the storm and stress of contemporary life, by the intellectual unrest, the thirst for strong sensation, the moral misgivings of our at once materialistic and romantic civilization he was hardly touched. For

some this will always limit his humanity as a poet; and yet for a chosen few he will have at certain moments a keener thrill for the spirit than any other American, perhaps, save Emerson. There is something here, the real poetic afflatus, as we feel it only in a very few. The white fire at the centre of Aldrich's art was the singleness of his passion for beauty. He served her with his whole heart, without any misgiving or the hope of any reward of fame, and there are certain immortal lines of his which simply for their beauty hold the secret of all love, the pathos of life and death, their mystery and their consecration.

EDITH BAKER BROWN.

"ORTHODOXY."*

SOME years ago, Mr. G. K. Chesterton produced an astonishing book called "Heretics," which dealt with things in general from the point of view of a man who disagreed with the Twentieth Century. It was received more like a popular novel than like a philosophical religious work: that is to say, it was read passionately and praised for its style regardless of its substance; according to the convention that a man's attitude toward the universe is important only as to the expressive grace of its pose. It was against this very notion, oddly enough, that the whole attack of the book was directed. It says, substantially: "The one most important thing in a man, especially if he be prominent, is his philosophy, his message; and many prominent modern philosophies are dangerously wrong. Mr. Kipling's Cosmopolitanism is wrong; the *Carpe Diem* of the 'Rubaiyat' is wrong; Mr. Lowes Dickinson's Neo-Paganism is wrong; the cult of the Superman is wrong." And so on with several other modern Ideas of more or less importance. To this, people made the natural and obvious reply: "You attack the philosophies of others. Well, what is your own?" And Mr. Chesterton has answered with his new volume "Orthodoxy," in which he confesses his faith as the Christianity of the Apostles' Creed, and expounds how and why he finds all fulfilment therein. It is a book of surprising thought surprisingly expressed.

And it is with his expression that we have first to deal. For Mr. Chesterton's manner of speech has been so much talked of

* "Orthodoxy." By Gilbert K. Chesterton. New York: John Lane Co.

and criticised both sensibly and foolishly that the man and his thought loom distorted to the popular view through a cloud of words. We have called him clever, sophistical, epigrammatic, brilliant, absurd, insincere, a prophet and a buffoon. We have applauded him as a clown instead of listening to him as a philosopher. We have set him upon the right hand of Bernard Shaw in a nimbus of verbal fireworks; and this is unjust to both; for not only are both men fundamentally consistent and sincere, but they are utterly unlike except in some trifling peculiarities of style. Criticism of Mr. Chesterton's philosophy, therefore, must begin by analyzing the current criticism of his style. We can judge of his dialectics only when we have understood his dialect.

The first characteristic of Mr. Chesterton's style is a certain laconic and stunning clarity. He writes almost in words of one syllable, with a pungent terseness and concreteness. He envisages great questions with something of the shocking directness of the "*Enfant Terrible.*"

> "The fear is that, as morals become less urgent, manners will become more so; and men who have forgotten the fear of God will retain the fear of Littimer. . . . For when you break the great laws, you do not get liberty; you do not even get anarchy. You get the small laws."

At first glance, there is something almost uncanny about this. Can a really deep matter be truly expressed with such childlike finality and clearness? But the more you think, the more perfect its truth appears. Its very depth of lucidity gives it a color of doubt, as the clear sky looks blue from very transparency. Now a great many people distrust and dislike this epigrammatic precision in great ideas. Their very natural attitude is that it is outrageous for any man to settle so easily what they themselves can hardly settle at all. If we agree, it is an insult to our intelligence thus to turn a problem into a truism; if we disagree, why, there must be some trick in it because it sounds so true. Closely akin to this is Mr. Chesterton's habit of stating a law as a paradox; for a paradox is, properly used, simply a short cut. Every truth of human nature is in essence paradoxical. "He that will lose his life, the same shall save it" is the practical statement of the law of Courage: the man who is afraid is the one who gets hurt. So Humility brings success; so we love only when we love some one for having faults, and truly hope

only in despair. Mr. Chesterton did not make these paradoxes: Humanity made them; he only saw and stated them. And it is strange that the evident source of Mr. Chesterton's style is not more popularly discovered. For only one other style in literature shows the same quintessential blend of paradox and homely finality; and that style is typified in the Sermon on the Mount.

But in all Mr. Chesterton's work there is a third very personal note which is less directly Biblical: his pervasive and uproarious humor. This may be shortly described by saying that he never, upon any subject, misses a chance to be funny. Between two expressions equally clear and concise he will choose the more ludicrous every time.

"The author solemnly explained that the two creeds were alike in things in which all creeds are alike; thus he said that both Christ and Buddha were called by the divine voice coming out of the sky, as if you would expect the divine voice to come out of the coal-cellar."

There are two very foolish objections to this sort of thing. The first, that a man who writes thus cannot be sincere, has been sufficiently answered by Mr. Chesterton himself: Funny and Sincere are no more antithetical than Black and Triangular. The second objection is that he is a Smarty: that he is absurd out of a self-conscious desire to be laughed at. Now, it is perfectly evident from his whole work that Mr. Chesterton laughs not because other people like it (many of them do not), but because he himself likes it. He jests about great matters out of a glad certainty, as only the happy lover dare make merry over love. But there is a third objection here, perfectly sound and unanswerable: many people are offended by any levity about serious things. Profanity (unlike Blasphemy) is never a sin against God; it is a sin against man; wherefore it cannot be excused by its motive. Honest laughter is a blessing; but you must not laugh too noisily in a sick-room. In sum, then, Mr. Chesterton pays the price of his admirable style. He is so tersely clear that all vague minds distrust him; he offends the solemn by his glorious joviality. And the Democracy's case against him is briefed in two popular phrases of surprise: "You don't say!" and "You don't mean it!"

Nevertheless, "Orthodoxy" is a great endeavor achieved. Its very failures are such as prove success; for you cannot succeed in contrary ways. And in this task it was much merely not to

fail. It often happens that an author's first book by its very merit stakes his whole reputation upon his second: he must rise to the height of some great argument or fall to the whole depth of it. Now, "Heretics" aroused such a demand, huge and even unreasonable; for it is quite unjust, though most natural, to demand that a critic improve upon the thing he condemns. But Mr. Chesterton took up the gage, and his courage is justified. If "Heretics" was read like a novel, "Orthodoxy" is read like a detective story. Indeed, in a high sense it is a detective story; for it relates how a man dealt with the deepest of all mysteries, and at the last discovered God. One has even the feeling that it would be unfair to summarize the book. But this much may be told without giving away the pleasure of the future reader: Mr. Chesterton begins by showing that the scientific Determinism is akin to madness, and that Free Thought has begun to doubt even itself. Thus having cleared the ground, he goes on to tell of his own journey through unbelief, of his formulating one human need, one human contradiction after another, until at last he found in Christianity a fount of sovereign paradox that satisfied all. "I did try to found a heresy of my own; and when I had put the last touches to it, I found that it was orthodoxy." As to how this is told, it is enough to say that every page is like a cold bath—a shock and a surge of life.

But in manner as in style, the book pays the penalty of its merit. In the first place, it does not cover its own ground; for it expounds the author's theology only in part. It is all very well to cite the Apostles' Creed as a summary; but the Apostles' Creed is a mere formula, demanding exegesis; and in showing why he believes in it, Mr. Chesterton falls short in the more important matter of showing how he believes in it. We know how he understands the doctrine of the Fall: how does he understand the doctrine of the Redemption? In the second place, he has aroused the desire for belief without satisfying it. It will not do to say that in this volume he is concerned not with whether Christianity can be believed, but with how he came to believe it. For in writing his own apology he has written so much of the apology of his Faith that he has bound himself to write the rest, so far as he can; and herein lies his terrible responsibility. In short, Mr. Chesterton is like the average Christian in this, that he talks much about the world, somewhat about

Hell, and not nearly enough about Heaven. Yet he is not the average Christian, for all his democracy, any more than Walt Whitman or Thomas Aquinas. He bases his faith upon an instinctive loyalty to the world; whereas it is a Christian tradition (perhaps heretical) to despise the world. The Catholic regards the world as a quarantine, the Protestant as a purgatory. Again, Mr. Chesterton sets up a nine-pin system of objections to Christianity which he promptly proceeds to bowl over: such as that it contradicts Evolution or Anthropology; that it is unpractical or historically obsolete; that priesthood is a blighting influence, or that Jesus was a mild and sheepish creature. These last two are indeed human objections, but they are not humanly stated. A man disbelieves not because he thinks that Christ was too meek, but because he feels that Christ was too innocent; not because priesthood is a blight, but because most of the priests he knows are unmanly. And the other four objections are even more unnaturally logical. A man is not reasoned out of his faith: he is laughed out of it by the sense that God never interferes, or tortured out of it by the sense that God does not care. Mr. Chesterton knows these things, but he has not applied his knowledge; and the first Salvationist on the street corner could tell him that he has dealt rather with the arguments by which people justify unbelief than with their causes for unbelieving.

Many people, of course, avoid Christianity simply through fear of its ethics: they do not want to be as good as they can. But aside from mere moral cowardice, the actual objections of honest people to Christianity may be summarized in two words: the feeling that it is inhuman; and the feeling that it is ungodly. The first attack only the one religion which pretends to humanity. Many have felt that in the face of this wonderful world full of incredible beauty and horror, Hell is a gratuitous nightmare. Heaven undesirable, and the divine sacrifice a kind of cosmic mummery. You cannot move us with the idea of Judgment; simply because, while the least of mankind can conceive a better or worse world than this, the greatest cannot imagine such worlds. Of the other religions no one demands these things: so it is not really the divinity of Jesus that people question; it is his humanity. The second cause of unfaith attacks every religion alike. The old question whether God could make a stone that He could not lift is more than a blasphemous quibble: it phrases the ulti-

mate paradox, the final question of life. For the name of that stone is Pain. We live in a world where innocent women die in agony, where love and honor run to waste, where cause and effect mock at our sense of personal justice. Why must this have come to be? Science answers: "By necessity." But that is no answer: who is Necessity? Buddhism answers: "By desire." But that is no answer: it is only anæsthesia. Christianity answers: "By original sin." But that only delays the question. Why then was sin let loose upon us? Did God make Satan too strong to bind? And there we are back to the Stone again. Mr. Chesterton very wisely says that God divided us from Himself that between separate selves love might be. Very well: it is true that you can love your child only because he is not yourself; but would you hurt him for the sake of comforting him again? Mr. Chesterton, like his opponents, has failed to define the goal of his progress; for he has not defined Good and Evil; and they can be defined. He lays aside Sin, whose existence some deny, to begin his argument with the unquestioned fact of Madness. He would have done better to begin with Pain.

"Orthodoxy" is the most important religious work that has appeared since Emerson. This statement will merely provoke incredulity, because Emerson is dead and Mr. Chesterton alive. It is made, therefore, not in the vain hope of carrying conviction, but merely for the sake of going on record as having made it. But as "Heretics" demanded a sequel, so "Orthodoxy" does far more: it makes its author responsible for a sequel.

BRIAN HOOKER.

THE LIFE OF HENRY IRVING.*

FROM the bibliography which Mr. Brereton appends to each of his volumes, we learn that his is the twenty-seventh book which has had to do with the career of Henry Irving as an actor or as a manager. His own is the latest, as it is the most elaborate and comprehensive. It rivals Lord Morley's "Life of Gladstone" in its thoroughness and in its amplitude. Indeed, it may not unfairly be described as the most comprehensive biography of an actor—who was not also a dramatist—which has yet appeared.

* "The Life of Henry Irving." By Austin Brereton. With twenty-three illustrations. 2 vols. London and New York: Longmans, Green and Co. 1908.

It supplies all the information which the most devoted student of the stage can demand. It is a worthy memorial of a fine and sincere personality and it is a model of modest and painstaking accuracy.

Mr. Brereton declares in his preface that as his book tells "the story of the life of Henry Irving, it follows that, in regard to the author, it is almost entirely impersonal"; and he asserts that in writing the book he has assumed "the attitude of a third person." And this is exactly what he has done. Keeping himself in the background, he has centred attention upon Henry Irving. He has made little or no attempt at criticism or at appreciation of his own; he has been satisfied to give us a solid record of the achievements of Henry Irving. The style of the book is a little colorless and we are surprised by no sudden flashes of critical insight, lighting up the darker corners of the actor's art; but the job is done in workmanlike fashion, with indefatigable industry and with abundant discretion.

If the author is sparing of his own criticism he is lavish in quotation from the criticism of others, unfavorable as well as favorable, hesitating as well as eulogistic. It seems that the actor had kept from the beginning of his career a complete collection of his newspaper notices; and this has enabled the biographer to prepare a full list of the six hundred and seventy-one parts acted by Henry Irving during his scant half-century on the stage. Nearly six hundred of these characters were undertaken by the actor in his 'prentice years in the provinces before he came up to London; and less than thirty were first seen during the final quarter-century of his life after he became his own manager. The extraordinary variety of the characters impersonated by the actor in his earlier years on the stage is significant, for it was by this youthful hard work that his native gift was developed, trained and made efficient. An art—and especially the difficult art of acting—can be acquired only by incessant practice.

The newspaper articles which Mr. Brereton quotes from, judiciously and yet freely, show that Irving very soon after he went on the stage revealed his individuality; and even when he held only a humble position on the stage, there were not lacking keen-eyed critics who saw promise in the young actor's work. When Mr. Brereton has carried Henry Irving to London, he gives us

fuller details. He supplies us with the cast of the plays in which the actor took part; and he gives the exact date of the production and counts the number of performances. And when the biographer comes to the period of Henry Irving's splendid management of the Lyceum, he supplies us, along with the casts of the several productions, the gross receipts of the several plays and the profit or loss of the successive seasons. We are here informed fully as to the immense gains made by the actor and manager in his several tours here in the United States, those tours which were like triumphal progresses through a friendly country. The total receipts of his eight visits to America were nearly three millions and a half; and in 1899-1900 his average profit was more than five thousand dollars a week.

Not only does Mr. Brereton quote freely from the newspaper criticisms, he cites skilfully those speeches in which Henry Irving was often reminiscent and autobiographic. And he gives many an extract from the more formal lectures which the actor delivered from time to time at Harvard and Columbia and afterward at Oxford and Cambridge. In these carefully considered addresses Henry Irving was constantly pleading for his own art and for the drama which as an actor he interpreted. If the theatre holds a loftier position to-day in Great Britain and in the United States than it did half a century ago, as it undoubtedly does, a large share of the credit must be given to Henry Irving. Especially worthy of note are the opinions he frequently expressed as to the value of an endowed theatre, of a temple of the drama which should not be wholly dependent upon the takings at the door.

It is now more than forty years since the present writer had the pleasure of first seeing Henry Irving on the stage, as *Abel Murcott,* when the elder Sothern acted *Lord Dundreary* in Paris in 1867. He saw him again in 1870 in the "Two Roses" and in 1873 in "Richelieu"; and he had opportunity to witness the performance of nearly all the actor's later parts. Perhaps this is a qualification for expressing complete agreement with Mr. Brereton's claim that Henry Irving ripened in his art as he advanced and that he was in continual progress. He had his mannerisms and his limitations, no doubt; but so has every artist, even if his were more obvious than those of most artists of equal renown. He was greater in character-parts than in the figures

of pure tragedy; at least we recall him more readily in the "Bells" and in "Louis XI" than in "Macbeth" or "Lear." But he had many of the qualities of genius—energy, sincerity, imagination, nobility of soul and the power of projecting a character; he had also marvellous skill in stage management.

It was often made a matter of reproach to the manager of the Lyceum that while he was doing much for the theatre he was doing little for the drama of his own time. And Mr. Brereton's list of the new plays produced by Henry Irving shows that there was certain foundation for this charge. In the quarter of a century of his management he brought out only one original play of genuine poetic value, Tennyson's "Becket." It is true that two other modern plays in which he appeared deserve a certain commendation, Wills's "Charles I" and Comyns Carr's "King Arthur." For the rest, for "Vanderdecken" and "Ravenswood," for "The Medicine Man" and "Peter the Great," there is little to be said. Apparently the actor-manager's judgment in regard to unacted plays was not very acute; and it may be that he felt this and that this was the reason he went out of his own country and besought Sardou to write "Robespierre" and "Dante" for him—plays which have not been deemed worthy of performance in Paris. But there is this to be said also, that few actors of the highest rank have ever done much for dramatic literature. John Philip Kemble did little, and Edwin Booth did nothing at all; they were satisfied with the characters which Shakespeare had created and they did not care to adventure themselves on uncharted voyages in search of novelty.

There remains to be noted again the fact that Mr. Brereton has done his work with praiseworthy self-suppression. His discretion is indisputable; but his reticence allows us now and again to catch a glimpse of significant incidents which he does not care to dwell on. For example, there is in the second volume, on page 129, a note on the late Richard Mansfield's tenancy of the Lyceum, which is not without interest. Especially dignified in tone is the biographer's account of the invitation which Henry Irving extended to Edwin Booth, and of the memorable performances in which the foremost actor of the United States appeared by the side of the foremost actor of Great Britain, and as his guest.

BRANDER MATTHEWS.

WORLD-POLITICS.

LONDON: ROME: WASHINGTON.

LONDON, *December, 1908.*

"THE TIMES" in no way exaggerated when it said that the Agreement between the United States and Japan was hailed "with the deepest gratification" by the British people. No international development in the Far East could have been more absolutely in line with British wishes and policy, and the welcome given to it was immediate, hearty and spontaneous. It is precisely what British diplomacy has hoped and worked for. Directly the Anglo-Japanese Alliance in its extended and more effective form was concluded in 1905, it was prophesied in this REVIEW that it would become the nucleus of a Far Eastern league of peace. The prophecy has been fulfilled. Russia, France and now the United States have each in turn subscribed to its central purposes; and so far as diplomatic conventions can insure it, the peace of the Far East, the integrity of China and the principle of the open door are now firmly buttressed. But it is not on that account alone that Great Britain has so warmly welcomed the new Agreement. She welcomes it also because it brings together one Power for whom she has nothing but the friendliest sentiments and another Power with whom she is linked in the closest possible bonds of political co-operation. It is no secret that the friction between the United States and Japan over the immigration question and over the treatment of American trade in Manchuria has been watched by Great Britain with extreme regret and not a little anxiety. Her relief is, therefore, all the greater that the two Governments should at last have realized how small and unimportant are their points of difference compared with their points of agreement, how little either has to gain by ill-will

and how greatly a frank political understanding must conduce to the advantage of both. But besides this the Agreement is peculiarly acceptable to British opinion because it emphasizes anew America's interest in the politics of the Far East—an interest that ten years ago was virtually non-existent—and registers her determination to assume the active and commanding *rôle* imposed upon her by her commercial and political stake in the future of the Pacific. The greater that interest and the more active that *rôle*, the more confident is Great Britain that the identity of Anglo-American aims will be fully established and that Anglo-American co-operation will become a fixed point in Far Eastern politics. Moreover, the mere fact of the Agreement is regarded over here as marking a momentous, almost indeed a revolutionary, departure from American traditions. It is the first formal acknowledgment in our time that for the United States the days of "isolation" and "independent action" are over and that working compacts for specified ends with other Powers are to be included henceforward among the resources of American diplomacy. This is a development with which British opinion is altogether in sympathy. It makes American participation in *Weltpolitik* far more effective than it was or could have been when the State Department at Washington and American popular prejudice unreflectingly and automatically ruled out the possibility of such arrangements; and it brings an Anglo-American alliance so much the nearer.

Great Britain, however, has noted with some astonishment that while the Agreement appears to have been overwhelmingly approved by the American press and American opinion generally, Mr. Root has not dared to cast it in the form of a Treaty for submission to and ratification by the Senate. The reasons why he has refrained from this step are well understood over here and are taken as indicating a somewhat serious defect in America's equipment for international politics.

The British press and the British Parliament, but not, I fear, the British people, have been a good deal occupied during the past few weeks with the problems of national defence. The discussion in the main has centred on two questions, (1) Can England be invaded? and (2) Does the two-Power standard of British naval strength include or exclude the United States? On the first question, that of the possibility of an invasion, it may be re-

membered that Mr. Balfour three and a half years ago, when he was still Premier, delivered a very remarkable speech. He laid it down as an axiom of home defence that the landing of 70,000 hostile troops in Great Britain was "impossible" and that "serious invasion of these islands is not an eventuality which we need seriously consider." Taking France as the hypothetical enemy, Mr. Balfour established the impossibility of invading England on the grounds that the transport of 70,000 men would require 210,000 tons of shipping, whereas it had been ascertained that there were as a rule only 100,000 tons in the French Channel and Atlantic ports; that even if the transport were available it would be a difficult matter to concentrate it all at one port; that the landing of the force would take forty-eight hours; and that the battleships, cruisers, torpedo craft and submarines attached to the British reserve would be amply sufficient, even in the absence of the sea-going fleets, to repel the attack. But Mr. Balfour's contentions even in 1905 were hotly assailed not only by experts in strategy, but by all who realized the danger of allowing a rich, mercantile and unarmed nation to cherish the illusion that its security was unassailable. Since 1905, moreover, the conditions of warfare have considerably changed and the potential power of an attacking force has been largely increased. No one in Great Britain has insisted on the reality of these changes more powerfully than Lord Roberts, who for the past two or three years has been conducting a laborious campaign of popular education in an effort to arouse his countrymen to the reality of the menace that confronts them. In the last week of November he returned to the subject with one of the most startling and impressive speeches to which the House of Lords has ever listened. Instead of imagining an invasion from France he imagined one from Germany. He showed that vessels suitable for the transport of 200,000 men are at all times available in the northern ports of Germany; that the men could be collected without any fuss or publicity or mobilization arrangements; that they could be embarked in a much shorter time than Mr. Balfour had calculated; that instead of three tons of shipping per man being required, one and a half tons would be sufficient for all purposes; and that with the enormous boat accommodation of the big modern liners, with the frequent practice of the troops in embarking and disembarking, with the education given to the officers of the merchant

marine serving in the reserve, and with the various mechanical appliances which now exist, "the disembarkation of German troops could be carried out far more expeditiously than had been thought possible in the case of French troops." Remembering that the German Government owned the railways and could operate with a secrecy and despatch unattainable in England, that the North Sea offered chances of escaping detection that were absent in the case of the English Channel, and that there were some 80,000 Germans, almost all of them trained soldiers, already resident in the United Kingdom, Lord Roberts expressed his deliberate conviction that 150,000 German troops could be landed in Great Britain, that in the absence of the regular army there was no force adequate to the task of repelling them, and that it was the bounden duty of the country to set about organizing a national citizen army of at least a million men.

I think there is no question that the movement in favor of national service on the Swiss model is growing in this country. It is growing, but it will be a long while before it is taken under the wing of either of the great parties. The general instinct of the country—and I am not at all sure that it is not a sound instinct—is that for purposes of defence the supreme reliance must be placed on the Navy. Nobody has ever denied that a small force might conceivably slip through the lines of naval defence and make a raid on British soil. The question is as to the figure at which this force should reasonably be put. For the past few years it has been more or less common ground that British preparations for home defence should be on such a scale as to make it necessary for an invader who had any hope of success to come with a larger force than 70,000 men. But if an invasion of this magnitude were to be attempted, then the Navy is confident it could not reach British shores undetected and that, once perceived, it could be satisfactorily dealt with. The country therefore believes, though with diminishing confidence, that a formidable invasion would be repulsed by the Navy and that a small raiding force would more than find its match in the territorial force now being organized by Mr. Haldane. If it could be shown that Lord Roberts's fears were justified, the nation would not shrink from the necessary sacrifices. But at present it is not prepared to maintain, first, the all-powerful navy necessitated by its insular position; secondly, the regular army called for by

the requirements of the Empire; and thirdly, a citizen army of a million men for repelling invasion.

The other problem of national defence which has also been discussed was started by Mr. Asquith's announcement that he accepted on behalf of the Government the formula of naval strength to which previous Governments had subscribed—namely, that the British Navy in capital ships should equal the next two strongest navies *plus* ten per cent. The "Westminster Gazette," which stands, as it deserves to do, nearer to the Government than any other journal, sought to limit the effect of this pledge by arguing that when Mr. Asquith spoke of the next two strongest navies he meant the next two strongest navies in Europe. The "Westminster Gazette" argued further that the wealth, the vast resources and the friendship of America made it both foolish and unnecessary to reckon her among Great Britain's naval competitors. In view of the uncertainty thus inspired Mr. Asquith was invited to be more precise. He therefore declared that by the next two strongest Powers he meant the two Powers that happened to be strongest, "whichever they may be and wherever situated," adding that he saw nothing in that statement at all at variance with an earlier declaration of his, that Great Britain must be prepared to hold the sea against any "reasonably possible combination." But, as "The Nation," a Radical organ of great ability and influence, at once pointed out, the two formulas are in reality very different. The United States and Germany are the next two strongest Powers, but it is obvious that they are not a "reasonably possible combination." Is Great Britain to build against the united strength of both of them? "On that proposition," says "The Nation," "we have two remarks to make. The first is that the people of Great Britain cannot do it. The second is that the Liberal party will not try to do it. They will never consent to build against America." The "Spectator," on the other hand, a journal notoriously friendly to America, sweeps away all such qualifications, declares the friendship test to be wholly precarious and misleading, and insists that "the only safe plan is not to make any invidious distinction between friends and enemies, but to maintain the principle that, in order to secure our national safety, nay, our national existence, we must have a fleet which will be stronger by a substantial margin than any two navies that can possibly be brought against us." I will only

add to all this two statements of fact. The first is that the British Navy is at this moment nearer a three-Power than a two-Power standard. The second is that the British naval authorities, as they have shown by the withdrawal or reduction of their North Atlantic and West Indian squadrons, have practically wiped from their calculations the possibility of a war between Great Britain and the United States.

Many hopes and the best part of a year's Parliamentary work were ruined when the House of Lords contemptuously rejected the Government's Licensing Bill. The Bill was unquestionably overloaded, but it represented the most earnest effort that this generation has seen to grapple with the liquor trade and assert the supremacy of the state over a highly organized, wealthy and disreputable interest; and the action of the Lords in throwing it out, if it has not aroused much visible indignation, has, I believe, deeply shocked the moral sense of thousands of moderate men of all parties.

In one way, it is true, the Government may not be altogether displeased by the failure of their Bill. They are now left free to tax licenses as they are taxed in the United States, and as the current financial year is certain to end in a large deficit and as the entire expenditure for old-age pensions, education, the unemployed and the Navy mean a heavy budget for 1909-10, it is some consolation to them to feel that the rejection of the Bill enables them to tap this fruitful source of revenue. But that, after all, is a poor consolation. The fact remains that a measure of social reform, for which the Government received at the last election a direct mandate from the people, on which they have spent months of the most anxious and unremitting labor, and around which the best opinion of the country had unmistakably gathered, has been killed by the Lords. What action the Government will take we do not know, though we do know they will not dissolve. They have to finance the old-age pension scheme, to amend the poor-law system and to bring in a measure of electoral reform before they can think of appealing to the country. When they do appeal it will be primarily on the issue of Free Trade, but, secondly, on the issue of the House of Lords.

The issue of the House of Lords is by far the most serious constitutional question, it is indeed the only one, that palpably awaits settlement.

ROME, *December, 1908.*

ACCORDING to the Italian Constitution five years is the extreme limit of a "Legislature," that is, the period of life of the Chamber of Deputies from one general election to another, or to its dissolution. However, it is an unwritten and accepted rule that no Legislature shall live out its life, so that from May 8th, 1848, when the first Legislature was inaugurated in Turin, none of the twenty-two which followed completed the five years, but had an average life of three years. This is done in order to spare the Government and the country the struggles and agitations connected with general elections when, either on account of internal troubles or because of international complications, they would be inopportune and dangerous, as the Constitution also establishes that, once the Chamber is dissolved or the Legislature has come to an end, a new Chamber must be convoked within four months, thus rendering the elections inevitable within that period.

For these reasons Signor Giolitti has practically decided that the next general elections shall take place during the spring, in April or May, as the present Legislature expires in the autumn of 1909, when, as we have seen, they would be inevitable no matter what was then happening in Italy or abroad, while it is another unwritten rule that they never take place in summer when the agriculturists of the peninsula, representing over two-thirds of the whole population, are engaged in the severest period of their labor. With regard to this it must be recalled that one of the problems in Italy is to obtain a large participation of the citizens in political life, so that while there is practically universal suffrage—as every man who is of age and knows how to read and write can vote—in reality the electors, according to the statistics of the last general elections, are only 2,541,327, that is to say, one-thirteenth of the whole population. In France, on the other hand, the electors are one-fourth, in Belgium and Germany one-fifth, and in Great Britain a little less than one-seventh.

All the same, Signor Giolitti may find himself confronted with serious obstacles even holding the coming general elections next spring, on account of the international situation which arose from the Balkan imbroglio, and which produced a counteraction in the internal politics of the peninsula. The unnecessarily high-handed proceedings followed by Austria in the annexation of Bosnia-Herzegovina, has rendered immensely more difficult the

already difficult situation of the young kingdom in its relations on one side with the Triple Alliance, and on the other with England and France, as, all secondary questions being discarded, what is really at the bottom of the European complications is the Anglo-German antagonism. The more this is accentuated, the more Italy is embarrassed, she being put to the alternative of choosing between her allies and her friends, which is extremely serious, and may have consequences of such a vital character as almost no other country in Europe has to fear at the present moment. Considering the reawakening of "Irredentism" throughout Italy, caused by the brawls between the German-Austrian and Italian students at the University of Vienna, last November, the superficial observer might come to the conclusion that her best policy would be to abandon the Triple Alliance, without even waiting for its expiration in 1912, which, it is remarked, could scarcely be objected to by Vienna after the late demonstration from there of the way in which they understand the respect due to international treaties. This, however, no matter how great may be the desire to join France and England, is practically impossible, it being now no more a mystery that the withdrawal of Italy from the Triple Alliance would be considered by Austria as a *casus belli,* and would be answered by the invasion of Lombardy and Venetia, for which the army of the Hapsburg Monarchy is already thoroughly prepared, having also on their side all the advantages of a geographically favorable position which places them at one day's march from Milan. A moderating action on the part of Germany to restrain Austria cannot be hoped for—as a very high personage explained to me very recently—all complications in the international affairs of Europe arise from a strange situation of what may be called a reciprocal friendly blackmailing between Vienna and Berlin. The Kaiser and his advisers are now convinced that the only friend on whom they can depend is their ancient enemy of Sadowa, and they have agreed, especially after the German failure at Algeciras, to back Austria unconditionally, diplomatically and militarily, in every conflict regarding her Southwestern frontiers, thus including the Balkans and Italy.

The "unconditionally" must not, of course, be understood in the sense that Germany does not get her return, which consists in Austria having agreed to put at her disposal her diplomacy and her army and navy against whomsoever she should fight in

Europe, without discussing the merits of the conflict. Italy in the Triplice is a mere addition, having the object of contributing to form one of the strongest compacts which have ever existed in Europe, and serving at the same time as an infallible index of what is to be expected, both Berlin and Vienna knowing that Rome will never leave them until she is sure that forces considered stronger than those of the Central Empires are ready to back her up. That is why at the first serious move of Italy to emancipate herself from the Triple Alliance, Austria would strike her blow, as Vienna and Berlin would then be convinced that their enemies had formed such a combination as to consider it superior to the Austro-German forces. What I have said is sufficient to make clear the impossibility for Italy, if she stands alone, to comply with the long-expressed desire of France, and that, relatively recent, of England, that she should leave the Triple Alliance.

An interesting feature of the approaching political struggle will be the attitude of the Vatican and the Catholic electors. As was the case with Leo XIII, Pius X also started his Pontificate by appearing animated with an intention of smoothing down the bitterness in the relations between Church and State. A *modus vivendi* between the two powers was even spoken of, and there is no doubt that the *non expedit,* viz., the prohibition to Catholics to participate in the political arena, was practically removed, so that several members of pure Catholic principles were returned in the general election of 1904, forming a nucleus of what might have later become a Papal party in the Italian Chamber. The new Pontiff, however, and his *entourage* soon saw the disadvantages of such a policy, which would have engaged the Church in the daily internal politics of the peninsula, to the detriment of her prestige, while the losses abroad would have been incalculable, financially and morally, as the Pope would have lost the independence of which his antagonism to Italy is the best guarantee, merely to appear as an Italian Bishop submitted to the powers ruling in Rome.

The Holy See, therefore, has lost no opportunity lately of reaffirming its traditional position of irreconcilability with the events which followed the fall of the Temporal Power. One of the best opportunities offered was the report spread by Court circles at Vienna to test the ground at the Vatican, that Archduke Franz Ferdinand, the heir to the throne, was to visit King Victor

at the Quirinal with the consent of the Pope. To well understand this it must be remembered that the late King Humbert and Queen Margherita, in October, 1881, went to Vienna, and that the Emperor Francis Joseph never returned this visit, because Leo XIII declared that any Catholic ruler who dared to be the guest of the King of Italy in the "Apostolic Palace of the Quirinal" would be excommunicated, while the King of Italy, in his turn, refuses to receive any Catholic ruler anywhere but in the capital of his kingdom. So far only King Ferdinand of Bulgaria and President Loubet have dared to challenge the thunders of the Head of the Church. Considering that the new Pope, elected through the veto which Austria put on the nomination of Cardinal Rampolla in the last Conclave, seemed to have brought about a considerable change, and considering the permanent reason for resentment which the unreturned visit of King Humbert to Vienna causes in the already difficult relations between Austria and Italy, the half-measure of sending the Crown Prince, who is not yet a ruler, to Rome was suggested to see whether it would be acceptable. This time the Vatican hurried to dissipate any uncertainty on the subject by having the "*Correspondenza Romana,*" which is officially inspired by the Papal Secretaryship of State, publish a statement, which could not be clearer, and which is a most interesting document in the now historic struggle between the spiritual and civil powers in Rome. It runs as follows:

"The Roman question is not closed, although its closure has been announced by the side, but only by the side, which has an interest in so doing. The other side has always protested against the accomplished fact, and against force in the name of right.

"It is a solemn and well-known fact that the Holy See maintains its reserves, its protests and its rights. This may please or displease, but it would be puerile to dissimulate it or profess astonishment. Not less familiar is the double form principally adopted by the Holy See to render her attitude solemn and clear to the world. The Pope will not leave the Vatican: the Pope declares that he considers the visit of the Head of a Catholic State, or of his representative, to the third Rome, as an offence to him personally and to the Church.

"If the consequent omission of certain visits displeases certain persons they must blame themselves, or others, but never the Pope, who is by them constrained to assume an attitude which for him is a duty imposed by his conscience. Also the statement that the unpaid visits are gravely damaging to the interests of Italy is as misleading as it is

false, shown by the fact that they have not in the least interfered with alliances and closer relations between Italy and the countries whose rulers cannot visit Rome. These two points of the perennial pontifical protest show that it would be futile to fabricate subterfuges to take its significance of an offence to the Roman Pontiff and to the Catholic Church from the suggested visit of the Archduke. For this reason Pius X cannot but continue in the attitude and declarations of his predecessor regarding this question, and for this reason the attempt to make it appear that the visit of the Archduke to the third Rome would be considered by the Holy Father as acceptable and tolerable must be regarded as a vulgar deception."

WASHINGTON, *December, 1908.*

AN analysis of the revised results of the last Presidential election brings out some interesting facts which at first were overlooked. For instance, it appears that in four States only, to wit, Pennsylvania, Ohio, Michigan and Wisconsin, did the Taft vote fall below that given to Roosevelt in 1904. On the other hand, it exceeded Roosevelt's in New York, Connecticut and New Jersey, as well as in California, Maine, Rhode Island, Nevada, North Dakota, Wyoming, Oregon and Washington. In Missouri Taft got more votes than did Roosevelt four years ago by nearly 26,000, and he outran Roosevelt in the industrial Southern States. Mr. Bryan ran behind his record in 1900 in twenty-one States, and in twenty-five States where Governors were elected the Democratic votes for Governor outnumbered those for President. Two deductions seem to follow: first, that the nomination of Bryan this year was a gross error, and, secondly, that Taft has at least a better chance of rupturing the Solid South than has been possessed by any previous Republican President.

It is hard to see what practical purpose President Roosevelt had in view when he spun out his last Message to such an inordinate length—it comprises some 21,000 words—in view of the fact, well known to him, that the present Congress has but a few working days before its tenure of life expires. Perhaps he had an idea of composing a Farewell Address, in which a summary of his characteristic notions might be handed down as a legacy to his countrymen. If that thought was in his mind, it is to be hoped that the Message will find more readers outside of Congress than it did within that body. Seldom, if ever, has an official communication from the Executive to the legislative branch of

our Federal Government been treated with less respect. That any of his injunctions will be heeded, or that any of the laws advocated by him will be placed upon the statute-book between now and the 4th of March, 1909, nobody believes. Of course, we would not go so far as to say that all of his recommendations deserve to be disregarded. For instance, Mr. Roosevelt is justified in averring that, as regards the liability of employers for injury caused by accidents in interstate transportation, the laws of the United States are decidedly behind those of almost all other countries in the civilized world. As a rule, our Federal legislation on the subject has proceeded on the assumption that compensation for injury should not be granted in cases where the accident is to any extent due to the negligence of the employee. Most other countries hold, on the contrary, that only a great degree of negligence on an employee's part acts as a bar to his securing damages, because it is recognized as inevitable that daily familiarity with danger will lead men to take chances that may be construed into negligence. It is true that a step was taken in the right direction not long ago when Congress passed the Employers' Liability Act, but this law has been declared by the United States Supreme Court unconstitutional, apparently on account of its including in its provisions employees engaged in intra-state, as well as inter-state, commerce. Creditable, also, to the President's sense of equity is his plea for the increase of the salaries now given to Federal judges. He says with truth that, on the whole, there is no body of public servants in the Republic who do as valuable work, and whose pecuniary reward is so inadequate to their deserts. It is not befitting the dignity of the nation that its most honored public servants should receive stipends so small compared to what they would earn in private life that the performance of their duty involved an exceedingly heavy pecuniary sacrifice.

Timely and helpful, also, is the reference to the urgent necessity of saving the forests of the country from destruction. Mr. Roosevelt says with truth that forests, rivers and the soil constitute three natural resources which any really civilized nation will so use that they will continue to be of benefit in the distant future. Owing to our own reckless abuse of our originally splendid forests, we are already on the verge of a timber famine, and no measures that we may now take can, at least for many years,

repair the mischief that has already been inflicted. In some sections of our country, as, for example, in the Adirondacks, the White Mountains, the Appalachians and the Rocky Mountains, we already see the permanent injury which the soil and the river systems have suffered from wanton deforestation. Further mischief can be prevented, however, and it would be, as Mr. Roosevelt says, in the highest degree reprehensible to let any consideration of temporary convenience or temporary cost interfere with such precautionary and remedial action, especially as regards the national domain. The desolation which has been brought upon Northern China, upon Central Asia, Palestine, North Africa and parts of the Mediterranean countries of Europe will surely be witnessed in our Republic also if we do not forthwith begin to exercise the wise forethought which should characterize any people calling itself civilized. It is criminal to permit individuals to purchase a little gain for themselves through the sweeping devastation of forests, when such devastation will prove fatal to the well-being of the nation hereafter.

Another of Mr. Roosevelt's demands which will be seconded heartily by those who are conversant with the naval programmes of Great Britain, Germany and Japan, is that for four new battleships of the *Dreadnought* type, if not superior thereto. It is undoubtedly desirable to complete as soon as possible a squadron of eight battleships exemplifying the highest plane of efficiency yet attained. The *North Dakota,* the *Delaware,* the *Florida* and the *Utah* will constitute the first division of this squadron, and the four vessels now proposed the second division. It is patent, also, that all of the vessels belonging to the squadron should have the same tactical qualities, as regards, that is, speed and turning circle. No matter how desirable and even important this immediate increase of our navy is felt to be by experts, nobody believes that the present Congress will authorize the beginning of more than two battleships this year.

One of the features of Mr. Roosevelt's last Message, which has given great offence, is the attack on the Federal Judiciary, an attack not the less harmful because it is accompanied with the perfunctory admission that our judicial system is sound at the core. Mr. Roosevelt insists that there are Federal judges who show inability or unwillingness to put a stop to the wrong-doing of very rich men under modern industrial conditions; and inabil-

ity or unwillingness to afford relief to men of small means or wage-workers who are crushed down by these modern industrial conditions: judges, in other words, who fail to understand and apply the needed remedies for the new wrongs produced by the new and highly complex social and industrial civilization which has grown up in the last half-century. Elsewhere the President declares that some members of the judicial body have lagged behind in their understanding of the great and vital changes in the body politic; judges whose minds have never been opened to the new applications of the old principles made necessary by the new conditions. He adds that judges of this stamp do lasting harm by their decisions, because they convince poor men in need of protection that the Courts of the land are profoundly ignorant of and out of sympathy with their needs, and profoundly indifferent or hostile to any proposed remedies. "We must face the fact," says Mr. Roosevelt, "that there are wise and unwise judges." That is a truism. Such has always been the case. The objection to the great space and stress allotted to the subject in Mr. Roosevelt's last Message is that it conveys a false impression as to the comparative amount of unwisdom on the Federal bench. Few persons reading the President's diatribe would guess, what, nevertheless, is true, that at no time in the history of our Federal Judiciary has the standard of qualifications been higher than it is to-day.

It is not surprising that both Chambers of the Federal Legislature should be deeply affronted by the intimation in the President's Message that it is known to many members of Congress that their private lives, or public conduct, or both, will not bear investigation. It will be observed that the President has not confined himself to assailing the integrity of certain individual Congressmen; he has assailed the integrity of the Congress itself. Unless, therefore, the truth of the accusation is challenged, every European sovereign will be justified in pointing to Mr. Roosevelt's uncontradicted words as proofs that American institutions are a degraded form of government. Unless Congress is willing to abdicate its dignity and influence, to renounce even a reputation for decent probity, it must call upon the President to prove that he spake truthfully when he says that the restriction of the use of the Secret Service funds by a recent statute operates only to the advantage of the criminal, and that the restriction was

adopted for no other reason than because Congressmen did not themselves wish to be investigated.

The identical declarations issued simultaneously by Secretary Root and by Baron Takahira, Japanese Ambassador at Washington, concerning the intentions of their respective countries with reference to the Far East are generally deemed to constitute a notable diplomatic achievement from the view-point of tactical form as well as substance. As regards form, it is obvious that what we have is neither a treaty, nor a convention, nor even an agreement, and there is, therefore, nothing requiring the sanction of two-thirds of the Senate. Each country, speaking for itself, through its Foreign Office, defines the policy which it is firmly resolved to pursue, with regard, first, to the independence and territorial integrity of China; secondly, with regard to equal opportunities of trade therewith, or, in other words, the "Open Door"; and, lastly, with regard to the integrity of the respective possessions of Japan and the United States in the Far East. It will be observed that neither of the two countries last named binds itself to guarantee the other's possessions; but each announces the intention of respecting them, and, also, should they be threatened with encroachment by a third country, the intention of considering what action should be taken in the premises and of communicating promptly its conclusion to the other party to the concurrent declarations. It may, at the first glance, be thought that, if there is nothing in the transaction for the Senate to take hold of, there can be nothing in it of much value to either the United States or Japan. The fact, however, that the two declarations are identical and simultaneous is recognized by diplomatists, not only in Washington and Tokio, but also in European capitals, as an incident of great importance, which practically imposes a weighty moral obligation on both parties. If, before he goes out of office, Mr. Root shall also arrive at a similar understanding with Japan in reference to the emigration question, the country will, indeed, have reason to congratulate itself on the results of his tenure of the State Department.

THE EDITOR'S DIARY.

On the Need of Play.

To keep man's physical machinery in good repair and smooth running order is such a simple business that one wonders how it is possible for intelligent men to let themselves break down. Yet the able man of to-day, no matter how robust a youth he was when he forsook the plough to live in the city and dominate finance or great industries, seems to be more delicate than a porcelain vase or a thoroughbred horse in training. Let a business crisis appear, and although he struggles through it manfully he is almost certain to break down when the strain is relaxed.

One would think that there must be some marvellous secret in the art of being able to continue doing one's daily work in the world; so many able intellects fail to grasp it. Wherefore we see captains of industry, statesmen, administrators of important enterprises, kings of finance, often dropping the important work in hand in order to vegetate in American sanitariums or wallow in foreign mud-baths.

And all this in face of the fact that, given a half-way normal constitution to begin with, it is the simplest thing in the world to remain well, strong, cheerful and competent. That very simplicity is the greatest obstacle to the carrying out of the idea. He was a profound philosopher who complained that it is the obvious thing that is never done. If health and efficiency were a rare commodity obtainable only in remote fastnesses and at a vast price, undoubtedly we should be oversupplied with it. But it lies at every man's hand. He has only to take and it is his. Of course, he will not take. He will have none of it till gout or rheumatism or appendicitis has gripped him and barred him from his daily vocation. Then he will endure pain, and spend much time and money in acquiring what he should never have lost.

The hardest thing to teach the modern man is the necessity of taking care of the physical part of him. Our bodies are more than the mere cloying earthly envelope that the ascetics denounced, or the instruments for the enjoyment of luxury that the Epicureans so greatly admired. For the busy man of to-day —if he would but let himself grip the fact—his body is the machine that carries him to his work and enables him to do it, the accomplishment being good or ill according to the care taken to keep the body well.

What should we do, then, to be always well and efficient? The answer is contained in one word—*play!* Let us hesitate a moment before condemning this simple suggestion. The actual need of play is as real in every one of us as the need of food and sleep. For it is through the medium of play that exercise can best be administered to the physical man, arduous exercise that flexes the muscles, fills the lungs with good fresh air, makes the heart beat with added strength and compels the organs of elimination to remove the waste tissue whose presence in our midst is a most potent cause of illness.

As to the form of play, we may take our choice, so long as it is not carried to excess. The busy man need not be a slave to the maxim that the best thing for the inside of a man is the outside of a horse. Perhaps he dislikes to ride (there are such individuals); then let him take a daily walk—at a round, brisk pace, to be followed by a bath and dry clothing. Or, if these prove unattractive, let him play tennis or squash or handball, or give a certain time each day to fencing or boxing. The great thing is to gild the pill of needful exercise with the fine gold of amusement. And to accomplish this nothing is more helpful than the spirit of competition. Nothing can be more depressing that dull, monotonous exercise taken as a prescription. It is easy to believe the expert who says that to play one game of tiddle-de-winks with zest will do a man more good than to push up a five-pound dumb-bell a thousand times.

There are games enough to suit every taste. It is impossible to imagine any man with the use of his limbs who cannot find a pastime as pleasing to his fancy as it is necessary to his health.

LA SENTENCOJ DE SALOMONO.*

(El la Biblio.)

EL LA ORIGINALO TRADUKIS, L. L. ZAMENHOF.

ĈAPITRO XXX.—*(Continued.)*

(11) Generacio, kiu malbenas sian patron kaj ne benas sian patrinon; (12) generacio, kiu estas pura en siaj okuloj, kaj tamen ne laviĝis de siaj malpuraĵoj; (13) generacio, kiu tiel alte tenas siajn okulojn kaj tiel levas siajn palpebrojn; (14) generacio, kies dentoj estas glavoj kaj kies makzeloj estas tranĉiloj, por formanĝi la malriĉulojn de la tero kaj la mizerulojninter la homoj! (15) Hirudo havas du filinojn: "donu, donu"; ili tri neniam satiĝas. Kvar objektoj ne diras: "sufiĉe": (16) La infero, senfrukta ventro, la tero ne satiĝas de akvo, kaj la fajro ne diras "sufiĉe." (17) Okulon, kiu mokas la patron kaj malŝatas obeadon al la patrino, elpikos korvoj ĉe la rivero kaj formanĝos aglidoj. (18) Tri aferoj estas nekompreneblaj por mi, kaj la kvaran mi ne scias: (19) la vojon de aglo en la ĉielo, la vojon de serpento sur roko, la vojon de ŝipo meze de la maro kaj la vojon de viro ĉe virgulino. (20) Tia estas la vojo de virino adultanta: ŝi manĝis, viŝas la buŝon kaj diras: "mi faris nenian pekon." (21) Sub tri objektoj tremas la tero, kaj kvar ĝi ne povas porti: (22) sklavon, kiam li fariĝis reĝo; malsaĝulon, kiam li tro satiĝis de pano; (23) malamatan virinon, kiam ŝi edziniĝis, kaj sklavinon, kiam ŝi elpelis sian sinjorinon. (24) Kvar estas malgranduloj sur la tero, kaj tamen ili estas tre saĝaj:

* Dr. Zamenhof has made this translation of Proverbs from the original text especially for The North American Review. The first chapter appeared in the December, 1907, issue. The subsequent chapters will be published during 1908.

(25) la formikoj, popolo ne forta, tamen ili en somero pretigas al si manĝaĵon; (26) la kunikloj, popolo senforta, tamen ili faras siajn domojn en la roko; (27) la akridoj ne havas reĝon, kaj tamen ili ĉiuj eliras en vicoj; (28) la araneo kroĉiĝas per siaj manoj, tamen ĝi estas en reĝaj palacoj. (29) Ekzistas tri, kiuj bone iras, kaj kvar, kiuj marŝa bele: (30) la leono, plej forta el la bestoj, cedas al neniu; (31) cervo kun bonaj lumboj, kapro kaj reĝo, kiun neniu povas kontraŭstari. (32) Se vi agis malsaĝe pro via fiereco kaj se vi intencis malbonon, tiam metu la manon sur la buŝon. (33) Ĉar batado de lakto produktas buteron, ekbato de nazo aperigas sangon, kaj incitado de kolero kaŭzas malpacon.

ĈAPITRO XXXI.

(1) Vortoj de la reĝo Lemuel, instruo, kiun donis al li lia patrino. (2) Ho mia filo, ho filo de mia ventro, ho filo de miaj promesoj! (3) Ne donu al la virinoj vian forton, nek viajn agojn al la pereigantinoj de reĝoj. (4) Ne al la reĝoj, Lemuel, ne al la reĝoj konvenas trinki vinon, nek al la princoj ebriigaĵojn. (5) Ĉar drinkinte, li povas forgesi la leĝojn, kaj li malĝustigos la juĝon de ĉiuj prematoj. (6) Donu ebriigaĵon al la pereanto kaj vinon al tiu, kiu havas suferantan animon. (7) Li trinku kaj forgesu sian malriĉecon, kaj li ne rememoru plu sian malfeliĉon. (8) Malfermu vian buŝon por senvoĉulo, por la defendo de ĉiuj forlasitaj. (9) Malfermu vian buŝon por juĝi juste, por defendi malriĉulon kaj senhavulon. (10) Se iu trovis virtan edzinon, ŝia valoro estas pli granda ol perloj. (11) Fidas ŝin la koro de ŝia edzo, kaj havo ne mankos. (12) Ŝi redonas al li bonon, sed ne malbonon en la daŭro de ŝia tuta vivo. (13) Ŝi serĉas lanon kaj linon kaj volonte laboras per siaj manoj. (14) Ŝi estas kiel ŝipo de komercisto, de malproksime ŝi alportas sian panon. (15) Ŝi leviĝas, kiam estas ankoraŭ nokto, kaj ŝi disdonas manĝon en sia domo kaj ordonojn al siaj servantinoj. (16) Ŝi pensas pri kampo kaj aĉetas ĝin; per la enspezoj de sia mano ŝi plantas vinberĝardenon. (17) Ŝi zonas siajn lumbojn per forto kaj fortikigas siajn brakojn. (18) Ŝi komprenas, ke ŝia akirado estas bona; ŝia lumilo ne estingiĝas en la nokto. (19) Ŝi etendas sian manon al la ŝpinilo, kaj ŝiaj fingroj tenas la ŝpinturnilon. (20) Ŝi malfermas sian manon al la malriĉulo kaj etendas siajn manojn al senhavulo. (21) Ŝi ne timas la neĝon por sia domo, ĉar ŝia tuta domo estas vestita tre bone. (22) Ŝi faras al si

kovrojn; delikata tolo kaj purpuro estas ŝiaj vestoj. (23) Ŝia edzo estas konata ĉe la pordego, kie li sidas kune kun la maljunuloj de la lando. (24) Ŝi faras teksaĵon kaj vendas, kaj zonojn ŝi donas al la komercisto. (5) Fortika kaj bela estas ŝia vesto, kaj ŝi ridas pri la venonta tago. (26) Sian buŝon ŝi malfermas kun saĝo, kaj bonkora instruo estas sur ŝia lango. (27) Ŝi kontrolas la iradon de aferoj en ŝia domo, kaj ŝi ne manĝas panon en senlaboreco. (28) Leviĝas ŝiaj filoj kaj ŝin admiras, ŝia edzo ŝin laŭdegas: (29) Multaj filinoj estis bravaj, sed vi superis ĉiujn. (30) Ĉarmeco estas trompa, kaj beleco estas vantaĵo; virino, kiu timas Dion, estos glorata. (31) Donu al ŝi laŭ la fruktoj de ŝiaj manoj, kaj ŝiaj faroj ŝin gloros ĉe la pordegoj.

THE END.

ESPERANTO NOTES.

THE latest addition to Esperanto literature is a novel by one Dr. Vallienne, written wholly in Esperanto. It is entitled *Ĉu li?* and, according to the "British Esperantist," is a highly thrilling work, 447 pages in length.

With great regret we are obliged to note the death of that most enthusiastic Esperantist, Edward K. Harvey, of Boston. This year he was a student at the Massachusetts Institute of Technology. Previously he had been an instructor in the Perkins Institute for the Blind. Last year he brought with him to the Cambridge Congress some of the blind boys from the Perkins Institute, and the manner in which he devoted himself to those blind young Esperantists and ministered to their comfort and pleasure was beautiful to behold. His was a splendid character and an enthusiastic spirit, and the Esperantists of America will miss him greatly.

Every now and then various persons impose upon the easily-persuaded newspapers the "news" that Esperanto is dead, and that some such tongues as Elo, or Ido, or whatever they may be, are the true successors of Esperanto. Every great movement is beset by similar small parasitic growths, and we simply beg to warn the reader to pay no attention to them. Esperanto, the language invented by Dr. Zamenhof, is spreading more rapidly than ever, and none of the little excrescences mentioned signify anything.

A certain Dr. Hoffender has recently contributed an article to a magazine outlining a plan for converting the neutral city of Moreseneto, which is situated between Belgium and Germany, into an Esperanto "capital," both because of the city's neutral position, and because Esperanto is already much in use there. Now, any plan for Esperanto to "acquire" territory in this manner is so palpably absurd that we cannot but hope Esperantists generally will ridicule the idea as it deserves. Esperanto is meant as a beneficent auxiliary in helping the world to rid itself of barriers, not as an instrument for creating new ones.

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THE LINCOLN-DOUGLAS DEBATES AND THEIR APPLICATION TO PRESENT PROBLEMS.

BY HANNIS TAYLOR.

THE editor of the REVIEW has invited me to restate, within narrow limits, the essence of the questions involved in the Lincoln-Douglas debates of 1858, with a view to the application of the basic principle underlying them to present problems. In "the battle of giants," as the debates in question are generally called, two immortal tribunitian orators spoke really the last words in the bitter and prolonged contestation over slavery that culminated in the Civil War. No effort should now be made to revive the echoes of those last words, without some reference to the history of the conflict out of which they grew. Negro slavery, which originated in Africa, spreading to Spain before the discovery of America, and to America soon after, made its appearance on this continent the year before the "Mayflower" brought the Pilgrims to Plymouth Rock, when a Dutch ship landed twenty African slaves at Jamestown. In 1626, the Dutch West India Company began importing slaves into Manhattan, and by 1637 there were slaves in New England. A Royal African Company with the Duke of York, afterwards James II, as its President, was formed to monopolize the slave trade, which monarchs and ministries furthered to the utmost of their power.

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Despite the fact that the Crown forced the institution upon Virginia, that great Commonwealth had, prior to 1700, a smaller proportion of slave population than some of the Northern colonies. While before the Revolution all the colonies held negro slaves, at the close of the eighteenth century there was a strong anti-slavery feeling even in Virginia and North Carolina. Only in South Carolina and Georgia was slavery then looked upon with favor, owing, no doubt, to the fact that those States were mostly given to the cultivation of rice and indigo, which seemed to make slave labor indispensable. A sudden transformation took place, however, in 1783, when Whitney, a Connecticut schoolmaster living in Georgia, invented the cotton-gin, whereby a slave, who by the old process could clean but five or six pounds of cotton a day, was enabled to clean 1,000 pounds a day. The cotton export of 189,316 pounds in 1791 had grown to 38,118,041 in 1804. Under such a stimulus, slavery at once ceased to be a passive and innocuous institution. Out of that condition of things grew up a contest between the Free and the Slave States for control of the Government, the South wishing to extend the area of slavery by the admission of new Slave States, the North seeking to confine the institution to the localities in which it already existed, while the abolitionist of the North wished to extinguish it altogether.

The first battle in the seventy years' war over slavery was fought in the Federal Convention of 1787, and the outcome was registered in three of the important compromises of the Constitution. While the Federal Convention was sitting at Philadelphia, the Continental Congress at New York was doing its last and one of its greatest pieces of work in framing the ordinance of 1787 for the organization and government of the public domain known as the Northwest Territory. Through the influence of Jefferson, slavery was prohibited by law in that Territory, while it was permitted in all Territories south of it. All but three of the United States which made the Confederation forbade the importation of slaves; and these three were North Carolina, South Carolina and Georgia. They insisted, while the Constitution was in the making, that the right to import slaves should continue until 1808. The North assented not only to that compromise, but also to the other two embodied in the three-fifths rule for slave representation in Congress and in

the fugitive slave clause. From that time, the opposing forces rested upon their arms under a rule which admitted a Slave State and a Free State by turns, so as to preserve the balance of power in Congress. Thus Vermont was counterbalanced by Kentucky, Tennessee by Ohio, Louisiana by Indiana, Mississippi by Illinois. In the same way, the admission of Alabama, in 1819, should have counterbalanced the admission of Maine in the following year; but, as Missouri was then applying for admission, the Southern members refused to admit Maine until it should be agreed to admit Missouri as a Slave State. After the admission of Louisiana in 1812, that portion of the Purchase north of the thirty-third degree took the name of the Missouri Territory, and within it slavery was unhindered in its growth. When, in 1818, the application of Missouri for admission as a Slave State presented for debate the status of slavery beyond the Mississippi, Jefferson, still alive, wrote: "The Missouri question is the most portentous which has ever threatened the Union. In the gloomiest hour of the Revolutionary War, I never had apprehensions equal to those which I feel from this source." The difficulty was finally adjusted by the famous Missouri Compromise of 1820, in which each section yielded a part of its demands. While Maine and Missouri were admitted into the Union, the latter as a Slave State, both Houses of Congress agreed that slavery should be prohibited forever in all other Territories north of 36° 30′, Missouri's southern boundary. Thus the vast bulk of the Louisiana Purchase was dedicated to freedom. And yet, while limits were thus set to the extension of the area of slavery, the view was general that each State was absolutely sovereign over it within its own borders; that responsibility for it and its abuses ended in each State with its own citizens. Such was the real and practical undertone of the doctrine of State Sovereignty in the extreme form in which it was taught by Calhoun, an extreme which culminated at last in the absurdity of Nullification. Meanwhile, quite a contrary view became common in the North, largely through the influence of William Lloyd Garrison, who established in 1831 a weekly paper called "The Liberator," which was devoted to the entire and immediate abolition of African slavery in America. In demanding "immediate and unconditional emancipation," Garrison claimed that the question at issue was a national one; that the whole country, and not the South

only, was guilty in tolerating what he called a curse. Thus was the real issue finally made up.

The "irrepressible conflict," hushed for the moment by the Missouri Compromise, was revived when the proposal was made to annex Texas, capable of division into five Slave States, a question hotly discussed in the Presidential campaign of 1844. Van Buren, who had opposed annexation, was rejected by the Democratic party, and James K. Polk, who favored it, was nominated and elected; and in December, 1845, Texas was annexed by resolution of Congress, with the understanding that it might thereafter be divided into several Slave States. Florida had already been admitted as a Slave State in March of the same year. With the election of Polk, the North and South were finally arrayed in opposition to each other,—the slavery question became the "burning question" from that time down to the appeal to arms. The sequel of the annexation of Texas was the Mexican War, resulting in a vast acquisition of territory which came as an additional victory for slavery, because, as nearly all of it lay south of 36° 30′, it could become, under the terms of the Missouri Compromise, slave soil. A drawback existed, however, in the fact that in the new territory thus acquired slavery had been forbidden by Mexican law. That fact predisposed many who were not in general opposed to slavery against extending the institution thither. As an expression of that feeling David Wilmot, a Pennsylvania Democrat, introduced in the House in 1846 his famous Proviso, applying to any newly acquired territory the provision of the ordinance of 1787, "that neither slavery nor involuntary servitude shall ever exist in any part of said territory, except for crime, whereof the party shall be first duly convinced." While the Wilmot Proviso failed to pass, it called into existence the Free Soil party, formed by the union of anti-slavery Democrats and Whigs with the Abolitionists. When the Whig National Convention met at Philadelphia, June 7, 1848, it nominated Taylor and Fillmore without a platform, after resolutions affirming the Wilmot Proviso as a party principle had been repeatedly voted down. The Democratic National Convention, which had met at Baltimore, in May, after reviving the strict constructionist platform of 1840 and 1844, nominated Cass and Butler. The National Convention of Free-Soilers, which met at Buffalo in August, adopted a platform de-

claring in substance that Congress had no more power to make a slave than to make a king, and that there should be no more Slave States and no more slave Territories. Through the power of the Free-Soilers to draw the Democratic vote from New York, the Presidency passed to Taylor, who, despite the fact that he was a Louisiana slave-holder, was unflinching in his devotion to the Union. In 1846, Iowa was admitted, and in 1848 Wisconsin. Eager as Taylor was to bring California in before the question of slavery in that territory could be discussed in Congress, he urged the people to call a convention and organize a State. That they did in 1849; and, as the bulk of them were from the North, they framed a constitution prohibiting slavery, and applied for admission. In the crisis thus brought about, all eyes turned to the great Compromiser who had taken the country safely through the Missouri crisis of thirty years before. Clay now proposed that California should be admitted as a Free State; that any new States properly formed from Texas should also be admitted; that the Territories of Utah and New Mexico should be organized without the Wilmot Proviso (*i. e.*, that the people of each Territory should be left free to settle the question of slavery for themselves, according to the doctrine of squatter sovereignty); that a more rigid Fugitive-Slave Law should be enacted; and that the slave trade should be abolished in the District of Columbia. In the midst of it all Taylor died, on July 9th, 1850; Fillmore succeeded; and Webster became his Secretary of State. The compromise of 1850 became an accomplished fact, but Webster's support of it, which involved a desertion of the free-soil principles then dominant in New England, led to his overthrow. Massachusetts deserted him, and, when she elected a Senator for the full term, it was Charles Sumner, the representative of the united Democrats and Free-Soilers, who came to the Senate pledged to fight slavery to the death. The outcries that arose from the cruelties incident to the execution of the new and more stringent Fugitive-Slave Law were deepened, as the administration of Fillmore drew to a close, by the appearance of "Uncle Tom's Cabin," whose stirring pathos touched the heart of the world.

Such was the state of the public mind when, in June, 1852, the Democratic Convention that met at Baltimore pledged that party to the observance of the Compromise of 1850; when the

Whig Convention that met in the same place in June endorsed the Compromise and the Fugitive-Slave Law; when the Free-Soil Democratic Convention that met at Pittsburg in August declared slavery to be a sin against God and a crime against man, and denounced the Compromise of 1850 and the two parties that supported it. After the triumph of Pierce and the ruin of the Whigs, the South was at a loss what to do for new slave territory now that the North had a preponderance in the Senate through the admission of California and the rapid growth of the North-western States, in which New England ideas had become predominant.

Passing over the attempt to buy Cuba, which failed at Ostend in 1854, we must look next at the scheme to acquire more territory into which to extend slavery in the region lying west of Missouri and Iowa, to the north of 36° 30′, and which, under the Missouri Compromise, was ever to be free soil. The project that contemplated the repeal of that famous compact proved successful, so far as legislation could go, when a bill, introduced in the Senate in December, 1853, to organize the Territory of Nebraska received the support of a sufficient number of Free-State Democrats to make it a success. A week later, a new bill was brought in, known as the Kansas-Nebraska Bill, which divided the region covered by the first into two Territories, one directly west of Missouri, to be called Kansas, and the other, north of this, to be called Nebraska. Thus, two States were to be opened to slavery instead of one, for the new bill distinctly declared that the Missouri Compromise had been swept away by the later Compromise of 1850. The passage of the bill in question was coupled with the contention that, as the population of the Territories had the natural right to decide for themselves the character of their own local institutions, Congress had no authority to vote slavery in or out for them. That idea, known as Squatter Sovereignty, was the invention of Stephen A. Douglas, a Northern Democrat, who proposed thus to lay bare the finest region of country open for settlement as a battle-ground between the slave-labor and the free-labor systems. When the Kansas-Nebraska question passed from Congress to Illinois in the fall of 1854, Douglas was called upon to defend his claim that the slavery question was forever settled by his invention of "popular sovereignty," which, he said, took it out of Congress

and gave it to the people of the Territories to decide as they pleased.

The time had now arrived when the anti-Nebraska party in Illinois were forced to look around for some champion who could meet "the little giant" in debate. His prowess in that line was admitted by all. In the entire field of American politics, no man equalled Douglas in the strategy and expedients of a palestric encounter of the oratorical kind. If he was lacking in originality and constructive logic, he more than made up for it by his facility in appropriating, by ingenious restatement, the thoughts and formulas of others. It has been said that "he was tireless, ubiquitous, unseizable. It would have been as easy to hold a globule of mercury under the finger's tip as to fasten him to a point he desired to evade." The David now chosen to meet him was Abraham Lincoln, who was born on the 12th day of February, 1809, in the midst of the most unpromising circumstances that ever witnessed the advent of a hero into this world. The years that followed his single term of service in Congress (1847 to 1849) had been for him years of work, study and reflection. While losing nothing of his genial humor, his character was taking on the dignity of a graver manhood. This man, whose sturdy and delicate integrity had won for him already the soubriquet of "Honest Old Abe," had begun to live more and more in the solitude of his office or his study. The inner light of his great mission had begun to burn within him. His principal weapon was direct and unswerving logic; his fairness of statement and generosity of admission had long been proverbial. Disdaining mere quibbles, he pursued lines of concise reasoning to maxims of constitutional law and political morals. His quaint originality, his aptness of phrase, his clearness of definition, his philosophic vision and poetical fervor often culminated in flights of genuine eloquence. When Douglas and Lincoln met, the subtle keenness of the sword of Saladin, that could carve muslin as it floated in the air, was to be contrasted with the temper of the sword of Richard of the Lion Heart that could sever a bar of iron at a blow. In opening a great speech at the State Fair at Springfield on October 3rd, Douglas said: "I will mention that it is understood by some gentlemen that Mr. Lincoln of this city is expected to answer me." Twelve days later, they met again at Peoria, an occasion

made memorable by the fact that, when Lincoln returned home, he wrote out and published his speech. In that model of brevity, directness, exact and lucid historical statement, we find not only the argument of the hour, but the premonition of the broader issues into which the new struggle was soon to expand. The time had come when Douglas was to be told that slavery was not a local but a national question, that any peculiar institution in any locality that affects the welfare of all is the common concern of all. Lincoln's expressions on that subject were the first articulate outcry of the new national spirit, just after the nation awoke to a full sense of its oneness. He said:

"The doctrine of self-government is right,—absolutely and eternally right,—but it has no just application as here attempted. Or perhaps I should rather say that whether it has such just application depends upon whether a negro is not, or is, a man. If he is not a man, in that case he who is a man may, as a matter of self-government, do just what he pleases with him. When the white man governs himself, that is self-government; but when he governs himself and also governs another man, that is more than self-government—this is despotism. . . . Let us readopt the Declaration of Independence, and the practices and policy which harmonize with it. Let North and South—let all Americans—let all lovers of liberty everywhere—join in the great and good work. If we do this, we shall not only have saved the Union, but we shall have so saved it as to make and keep it forever worthy of the saving. We shall have so saved it that the succeeding millions of free, happy people, the world over, shall rise up and call us blessed to the latest generations."

Such was the prelude to the more famous Lincoln-Douglas debates of 1858.

Deep and wide-spread as had been the slavery agitation incident to the repeal of the Missouri Compromise and the consequent civil war in Kansas, an event, entirely unexpected so far as the public at large was concerned, suddenly occurred which doubled its intensity. Two days after Buchanan's inauguration, the Supreme Court of the United States announced its famous decision in the Dred Scott case which originated in the idea that, under our Federal system, a temporary residence in a Free State or Territory could work the emancipation of a slave, under the doctrine laid down by Lord Mansfield in Somersett's case. By the time it reached the court of last resort, it had become so interlaced with pending political problems that, in the words of Mr. Justice Wayne, "the case involves private

rights of value, and constitutional principles of the highest importance, about which there had been such a difference of opinion that the peace and harmony of the country required the settlement of them by judicial decision." In a word, the Supreme Court, composed of nine judges, seven of whom were Democrats and five from Slave States, felt called upon to transfer the question of the legality of slavery in the Territories from the political to the judicial arena. The outcome was embodied in the conclusions that the Missouri Compromise Act was unconstitutional, slaves being private property with which Congress had no right to interfere; that it was the duty of Congress not to prohibit, but to protect, slavery in the Territories; that no slave, or descendant of slaves, could be a citizen of the United States; that, as slaves were not persons, but property, the owner of them could take them into any part of the Union just as he could take any other kind of property. Thus did Douglas's doctrine of Squatter Sovereignty receive its death blow from the judicial arbiter to whom he was pledged to bow. To dissent was to give mortal offence to the South; to concur was to give mortal offence to the North. Thus handicapped, Douglas met his indomitable opponent in the famous debates that occurred in Illinois between July and November, 1858.

In pressing upon Douglas his charge of a political conspiracy to nationalize slavery,—alleging that his "don't-cure" policy was but the convenient stalking-horse under cover of which a new Dred Scott decision would make slavery lawful everywhere, —Lincoln said:

"He says he 'don't care whether it is voted up or down' in the Territories. I do not care myself, in dealing with that expression, whether it is intended to be expressive of his individual sentiments on the subject, or only of the national policy he desires to have established. It is alike valuable for my purpose. Any man can say that who does not see anything wrong in slavery, but no man can logically say it who does see a wrong in it; because no man can logically say he don't care whether a wrong is voted up or voted down. . . . That is the real issue. That is the real issue that will continue in this country when these poor tongues of Judge Douglas and myself shall be silent. It is the eternal struggle between these two principles—right and wrong—throughout the world. They are the two principles that have stood face to face from the beginning of time; and will ever continue to struggle. The one is the common right of humanity and the other is the divine right of kings."

In assailing his popular-sovereignty principle, Lincoln declared it:

"The most arrant Quixotism that was ever enacted before a community. Does he mean to say that he has been devoting his life to securing to the people of the Territories the right to exclude slavery from the Territories? If he means to say so, he means to deceive; because he and every one knows that the decision of the Supreme Court, which he approved and makes especial ground of attack upon me for disapproving, forbids the people of a Territory to exclude slavery. This covers the whole ground from the settlement of the Territory till it reaches the degree of maturity entitling it to form a State constitution."

In the meeting at Freeport, Lincoln put Douglas to the crucial test by calling upon him to answer four carefully prepared questions, the second of which was this: "Can the people of a United States Territory, in any lawful way against the wish of any citizen of the United States, exclude slavery from its limits, prior to the formation of a State constitution?" When Lincoln's friends, while urging him not to put that question, said, "If you do, you can never be Senator," he answered, "Gentlemen, I am killing larger game; if Douglas answers, he can never be President, and the battle of 1860 is worth a hundred of this." When Douglas did answer, he said:

"I answer emphatically, as Mr. Lincoln has heard me answer a hundred times from every stump in Illinois, that in my opinion the people of a Territory can, by lawful means, exclude slavery from their limits, prior to the formation of a State constitution. Mr. Lincoln knew that I had answered that question over and over again. He heard me argue the Nebraska bill on that principle all over the State in 1854, in 1855 and in 1856, and he has no excuse for pretending to be in doubt as to my position on that question. It matters not what way the Supreme Court may hereafter decide as to the abstract question whether slavery may or may not go into a Territory under the Constitution; the people have the lawful means to introduce it or exclude it, as they please, for the reason that slavery cannot exist a day or an hour anywhere unless it is supported by local police regulations. Those police regulations can only be established by the local Legislature, and if the people are opposed to slavery they will elect representatives to that body who will by unfriendly legislation effectually prevent the introduction of it into their midst. If, on the contrary, they are for it, their legislation will favor its extension. Hence, no matter what the decision of the Supreme Court may be on that abstract question, still the right of the people to make a Slave Territory or a Free Territory is perfect and complete under the Nebraska bill."

In reply, Lincoln said:

"The first thing I ask attention to is the fact that Judge Douglas constantly said, before the decision, that whether they could or not was a question for the Supreme Court. But, after the Court has made the decision, he virtually says it is not a question for the Supreme Court, but for the people. . . . I pass to consider the real constitutional obligation. Let me take the gentleman who looks me in the face before me, and let me suppose that he is a member of the Territorial Legislature. The first thing he will do will be to swear that he will support the Constitution of the United States. His neighbor by his side in the Territory has slaves and needs Territorial legislation to enable him to enjoy that constitutional right. Can he withhold the legislation which his neighbor needs for the enjoyment of a right which is fixed in his favor in the Constitution of the United States, which he has sworn to support?"

Lincoln made no mistake as to the effect of Douglas's answer upon his political fortunes,—with the whole South, and with a few prominent politicians of the North, it served to put him outside the pale of party fellowship. As compared with this, his Lecompton revolt had been a venial offence. Soon after the Charleston Convention, Judah P. Benjamin said:

"Sir, it has been with reluctance and sorrow that I have been obliged to pluck down my idol from his place on high, and to refuse to him any more support or confidence as a member of the party. . . . We accuse him for this, to wit: that having bargained with us upon a point upon which we were at issue, that it should be considered a judicial point; that he would abide the decision; that he would act under the decision, and consider it a doctrine of the party; that, having said that to us here in the Senate, he went home, and under the stress of a local election his knees gave way, his whole person trembled. His adversary stood upon principle and was beaten; and lo! he is the candidate of a mighty party for the Presidency of the United States."

On that subject Lincoln with quaint humor once said:

"All the anxious politicians of his party, or who have been of his party for years past, have been looking upon him as certainly at no distant day to be the President of the United States. They have seen, in his round, jolly, fruitful face, post-offices, land offices, marshalships and cabinet appointments, chargéships and foreign missions, bursting and sprouting out in wonderful exuberance ready to be laid hold of by their greedy hands. On the contrary, nobody has ever expected me to be President. In my poor, lean, lank face, nobody has ever seen that any cabbages were sprouting out. These are the disadvantages, all taken together, that the Republicans labor under. We have to fight this battle upon principle, and principle alone."

The opposing principles involved in the famous debate of 1858 were so sharply defined that they may be restated within a narrow compass. Against the contention of Douglas that under the doctrine of "popular sovereignty" even a question so grave as human slavery might be localized stood Lincoln's contention that all local questions that affect all are the common concern of all. No serene and impartial student of the Constitution will ever for a moment doubt that the conclusions reached by the Supreme Court in the Dred Scott case were in perfect accord with the compromises of the Constitution as the Fathers had made them. On the other hand, no such student of the history of humanity will ever for a moment doubt that such conclusions were in sharp conflict with what Seward called "the higher law"—that is, the law on the subject of slavery as it had been settled by the consensus of the civilized nations. At the end of the Civil War, "the higher law" triumphed once and forever when the results of the Dred Scott case were wiped out by the adoption of the Thirteenth and Fourteenth Amendments. When we consider the application of the basic principle involved in the famous debate of 1858 to present problems, we should never for a moment forget that Lincoln's contention, that all local questions that affect all are the common concern of all, has become the corner-stone of our new national life. The first application made of that principle by the reunited nation was in the destruction of a peculiar social institution within the Territory of Utah which conflicted with the general principles of our civilization. Until a man can take that principle into his heart in its fulness, he can never be a patriot as Lincoln was a patriot. When destiny called upon him to secure the supreme interests of all by preserving the life of the Union, like a Titan he struggled and triumphed, and like a protomartyr died. In the crisis of the conflict, when the capital of the nation was in danger, he appeared upon the parapet of Fort Stevens, on July 12th, 1864, as one of its defenders. In his account of the incident, General Wright, then commanding in the suburbs of Washington, has said: "I entreated the President not to expose his life to the bullets of the enemy; but he seemed oblivious to his surroundings." As the battle progressed, it became painfully evident that a very handsome residence near by, occupied by Confederate sharpshooters, had to be

destroyed. As it was of considerable value, Mr. Lincoln was consulted, and as commander-in-chief he gave the order for its destruction by shot and shell. There and then, for the first and last time in the history of the Republic, a President of the United States actually exercised authority as commander-in-chief. The document in Lincoln's own handwriting attesting that fact, after being buried for more than forty years in the archives of Congress, was first made public at Fort Stevens on May 30th, 1908, when the writer,—through the kindness of Senator Henry W. Blair, who alone knew of its existence,—was able to read it as a part of his Memorial Day address. Perhaps in the time to come some artist will portray this, the most imposing scene in the life of Lincoln, when, as commander-in-chief of the armies of the United States, he stood in the thick of the fight upon the ramparts of Fort Stevens on that 12th of July, sustaining and directing the defenders of the nation's capital and the nation's life. As time goes on, he will be viewed through the lengthening distance by a grateful posterity in the North and in the South, in the East and in the West, as he stood battling for the life of the Union in the twilight of that fateful day, transfigured on the horizon and touched by the light of its dying glory.

HANNIS TAYLOR.

BANNER MEMORIES.

A POEM FOR ABRAHAM LINCOLN'S BIRTHDAY.

BY NATHAN HASKELL DOLE.

THE lone ship plunges on her trackless way,
Her guide the faithful needle pointing North.
The sleepless watchman, silent, gazes forth
To sight the changes of the night and day.
The immeasurable waste of blue or gray,
Its fluent hills and hollows splashed with foam,
With rainbow-tinted flowers of flashing spray,
Lies cold and solemn 'neath heaven's circling dome.
For hour on hour no bird's wing flecks the sky;
The same monotonous sweep of barren brine
Wearies the homesick voyager's mournful eye
Which yearns to catch some heart-consoling sign.

"A sail! a sail!" rings out the thrilling cry.
Sudden athwart the keen horizon-line
Struggles a dim, indefinite cloud to view,
Half-blending, half-contrasting, with the blue,
But momently enlarging, till, at last,
Full-rigged with canvas straining at each mast—
A vision of beauty in wind-cleansed dazzling white—
A deep-hulled ship dawns full in sight,
Rising and dipping on those mountainous seas.
Then, if perchance that ship bears at the height
Of swaying mast-top, wide-spread on the breeze,
The traveller's home flag, faded though it fly,
He feels that he must fall upon his knees
In adoration of its majesty.

It stirs his pulses, fills his eyes with tears,
Makes him forget his grief and loneliness;
It wakes the sailors' voices into cheers,
Has magic power to kindle and to bless!

What is the magic of the flag?
What influence holds
Within its graceful folds,
That, though it be a smoke-grimed rag,
Faded and frayed and tattered,
Strife-eager men will die
To hold it high
Before the cannon belching shotted fire;
And, if it drop
From out the color-sergeant's hands,
The hero marching next will stop
Only to seize with death desire
Its blood-stained staff all shattered,
And lift it onward for the following bands
To get fresh courage by?
How can its alternating stripes
Of white and red,
Its star-sown field of azure,
Unite in one enthusiasm none may measure
A hundred varying human types—
Those who have fled
From Persecution's cruel trial,
Or who in Freedom's cause their blood have shed,
Russian and Hebrew, Finn and Persian;
And those who save, by rigid self-denial,
The meagre sum to justify desertion
Of Fatherland's intolerance unpaternal;
And those who have escaped Conscription's curse,
Or, what is worse,
Some bitter internecine War's
Wild aftermath infernal;
And those whose ancestors
Came hither for Religion's sake
With lofty zeal to make

A Paradise of God
Within a primitive wilderness untrod?
What is the magic power
Which makes its beauty lovelier than a flower?

It is the symbol of a majesty,
A vast idea, a concept that appeals
To ignorant and to learned equally,
To every heart that feels.
It is the gonfalon of Liberty;
Its bright escutcheon stands
To differentiate from other lands
Our home-land—land where we were born,
Or new-born, into Freedom's light.
Its mission is to welcome or to warn—
To stream across the sky,
Portentous as a comet,
That fierce aggression's might
May read the threat of vengeance from it;
Or, softly beaming with effulgence bright,
To feed the imagination of the young
With hope and fervor for the Right
And love for every nation, every tongue.
Its thirteen alternating bars
Rehearse the legend of a Nation's birth:
The glorious Red
Is symbol of the patriotic life-blood shed,
Whose flower of fame we have inherited;
The White is Peace, Good-will to Earth;
The growing constellation
Of dominating Stars
Is hieroglyphic
And typifies the increase of the Nation
From Lakes to Gulf, Atlantic to Pacific.

I stood within the marble-vaulted hall,
Where, in tricolored groups assembled,
The battle banners, bullet-torn,
With years of service worn,
Mantled with never-dying glory,

Depicted national history on the wall.
Those silent testimonials breathed the story
Of bloody conflict, while the Country trembled.
The memorable names were scrolled
Upon each drooping fold—
Antietam, Chickamauga, Gettysburg—
Duels by sea and on the streams
Whose waters into blood were turned,
Battles above the clouds, where the Symurgh
Of Oriental dreams
Spread out his threescore wings,
And, in deep mourning, yearned
Above the elemental strife
Whose gage was a vast Nation's life!

Methought I was a boy again,
And, standing by the old brick homestead's gate,
Watched, filing by, the troops of friendly men
That left the tree-embowered country village,
The calm and peaceful rustic life,
The evening's dewy stillness
And the sweet fields of homely tillage,
To march away and meet their waiting Fate
Of death and ghastly wounds and life-long illness.
I heard the drum-tap and the shrilling fife
And the gaunt captain's stern commands
Resounding quick and loud.
I saw the new flag, sewed by women's hands,
Waving as yet unsmoke stained, bright and proud!
Oh! how I mourned because I was a boy
And could not share that patriotic joy
Of marching Southward with those death-devoted bands!

Such was the scene in every town and city
Throughout the universal North:
Husbands and fathers, lovers, sons and brothers,
With fond devotion hastening forth,
While in the desolate homes despairing mothers
Stripped lint, made bandages with holy pity
Alike for wounded friend and brave misguided foe,

And wept at each report of War's wide-wasting woe!
For this, as well as our far-spread dominion,
The glorious flag is symbol as it floats
Above each schoolhouse, like the pinion
Of some great watchful bird
Whose sweet mellifluous notes
Within the patriotic heart are heard.

To-day, thank God! that radiant flag again—
By North and South united
With faith and lealty voluntary-plighted
Throughout our marvellously dowered domain—
Is like a precious jewel treasured
With love and gratitude unmeasured,
By countless millions of free, happy men!

Millions have died to shield it and would die!
Our martyr Lincoln's blood was shed
Upon the altar that it still might fly
Unmutilated in our Freedom-breathing sky.
He was the color-bearer for the dead
That marched in concentrating columns into fame,
The heroic souls that kept the sacred flame
Of heaven-descended Liberty
With Patriotism's chrysmal oil bright-fed!

Fling forth the banner, then,
On Lincoln's natal day!
Recall this simple-hearted Prince of men:
Tall, gaunt, ungainly,
Who spoke the frontier speech so eloquently, plainly,
Whose sane wit kept the balance true
'Twixt rainbow-hued fallacious hope
And dark unreasoning despair;
Whose vivid intuition knew
The upward-leading, goal-assuring clew
Through darkness where more learned statesmen grope
And fall because they have no faith to do and dare!

He was the God-commissioned leader sent
To guide his people through the Wilderness.

When in the seeming fatal ambush pent,
His courage bade him, victory-haloed, onward press.
His heart was firm, his arms were stayed;
Discouragement in vain assailed;
Defeat still left him undismayed;
And thus the long hard passage to the Promised Land,
In spite of cruel and malicious prophecies
And traitors' evil offices,
Was made as his great heart and mind had planned.

Yet, like the earlier Moses, he was not allowed,
With those he rescued from the foe, to stand
(With swift temptation to be proud)
Upon the sacred soil.
His was the burden and the toil;
And when the grapes of Eshcol purple-clustering,
The smiling pastures of the violet hills,
The fertile plains, the shade-dispersing trees,
The cooling waters of the sweet fresh rills,
The fragrance of the blossom-sweeping breeze,
The sleepy murmur of the honey-storing bees,
After the desert sand-storms blustering,
Offered their riches and he might find rest,
The assassin's weapon smote his friendly breast!

Fling forth the banner, then—
The star-emblazoned field of blue,
The waving stripes which once Columbia threw
Over the tear-drenched death pyre of her martyred Citizen.
Fling forth the banner trimmed with laurel and with rue!
O, let the clangorous bell-tones ring
And all the reverence of the Nation bring
In honor of the man more royal than the mightiest king.
O, greet the symbol of our Mother-land,
Columbia, freedom-dowered,
In whose great heart the antique virtues all have flowered,
So opulent, so generous, so grand.

NATHAN HASKELL DOLE.

THE POSITION OF WOMAN.—II.

AN HISTORICAL RETROSPECT.

BY THE DUCHESS OF MARLBOROUGH.

ROME classified her slaves, strangers and citizens on the Greek model, and, until Caracalla made Roman citizenship indiscriminate, the purity of Roman womanhood was as highly cherished and respected as that of the citizen women of Athens. Their position was also very similar in the early part of Roman history. Woman, still regarded as a minor by her male relatives, spent her life in her father's control and then in her husband's. That sternness, often cruelty, were her daily meed is proven by the examples of parental or marital correction applauded in those days. Egnatius, who surprised his wife sipping wine, a prohibited indulgence, beat her to death—an action which in his time gained him praise, and I have no doubt new offers in marriage, as cruelty wields so potent an attraction in the eyes of the weaker sex. Without approving of the chastisement inflicted in this case, we might say that the principle practised by Egnatius might be reinstated with good effect in these days when drunkenness, amongst women, is alleged to be working untold evil in home and on children. It would be a measure for women passed by women, and, remembering the wonderful strides made in temperance reform by a woman mayor in one of our Western States, its passage in a woman's Parliament does not seem improbable.

Then, again, Sulpicius Gallus dismissed or divorced his wife because she appeared in public without a veil; Antistius Vetus got rid of his because he saw her speaking secretly to a freed woman in public, and P. Sempronius Sophus sent his away because she went to the public games without informing him. One cannot help wondering if such stern rectitude on the husband's

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side was born of a desire to appear the strict disciplinarian and upright supporter of the law, or whether there was not some petty ire or strong dislike actuating him. Obedience, however, appears to have been the *sine qua non* of a wife's existence.

As law and popular opinion encouraged injustice and coercion in one sex, the other was driven to measures of stealth and violence to safeguard their interests and ensure themselves security of life. The Roman matron was not cast in the meek and placid mould of her Athenian sister. The lightning of her anger and the thunder of her revolt worked secretly and surely like a storm obscured by a cloud. In the year 331 B.C. many prominent Roman citizens were attacked by an unknown disease, and nearly all died. It was impossible to discover the cause until a maid-servant went to a curule ædile and explained the nature of the plague. She was brought before the consuls, who determined to prove the veracity of the servant's statement, and were by her conducted to a house where twenty matrons were found in the act of compounding poisons. When faced by their accusers, they at once denied the truth of the allegation, and after a moment's secret conversation, the twenty matrons boldly drank their concoction and promptly died. One hundred and seventy were found to have taken part in the conspiracy. Another similar occurrence took place in the year 180 B.C., and death by poison became the favorite revenge on a ferocious or undesirable husband. In Athens, the state had collapsed because the meekness of the wives had permitted an uneven disposal of parental authority and an improper relationship of vice and control, the foreign women having in time usurped all authority and caused a state of instability of impossible duration. In Rome, on the contrary, woman took the remedy into her own hands; and, although she gained freedom and many privileges, because men realized that they responded to whatever treatment they received, yet in the end these violent measures helped to precipitate a state of chaos, licentiousness and cruelty unequalled in the history of the world. Like unto the Greeks, the Romans were prone to religious fervor; and new religions, with attendant novelties of rites, always awakened the greatest excitement and enthusiasm. It was natural that this should be especially so amongst women, because the period of Bacchanalian festivals and the feasts to the various gods and goddesses were their

only times of liberty and enjoyment. The more they could be added to the better, and the arrival of a new worship did not proscribe the continuance of an old. The Bacchanalia introduced in Etruria in 186 B.C. created orgies of the wildest, most exuberant description. Men and women, for once allowed to mingle freely under cover of the night and in the name of religion, danced and sang in hilarious gaiety, and one can well imagine that woman's enforced passivity must have availed itself with frantic glee of this period of liberty. Whether the immorality adduced against these festivals really existed we cannot tell; that the Consul saw fit to order their discontinuance and to punish the worshippers with imprisonment for the males and restitution to their families for the women is all we know. There were over seven thousand engaged in these relaxations. Again the worship of Tis and of the Idæan Mother greatly enthused the Roman matrons, and they had ceremonies to their own female deities where no male was allowed and at which they were supreme in authority. It is easy to see that woman made religion an instrument for obtaining the liberty she so strongly desired.

As time went on, the Roman matron won a position of dignity and importance. Her good-will and restrained moderation urged the men to confer certain privileges on their wives and to allow them absolute liberty and the place of honor in the house. Roman ladies, therefore, were allowed to go out unveiled, to attend the games, to dine with their lords and to hold counsel and meetings amongst themselves. On many occasions it is recorded that, by their agitation and incessant demands, they even obtained the reversal of a law especially aimed at their privileges. We can find a parallel to the elicitation Miss Pankhurst managed to secure from the Prime Minister on the probable date of the introduction of a clause providing for woman's enfranchisement in the next general redistribution of votes bill in Hortensia, the daughter of the famous orator Hortensius. Fourteen hundred of the richest women in Rome had been ordered to make a statement of their wealth by the Triumvirs, who claimed that they had the power to employ any portion of it they liked to pay off the expenses of a war which could not otherwise be met. The matrons resented such high-handed treatment, and, as they could find no man bold enough to plead their cause, determined to do so themselves.

First of all, they approached the sister of Tetarianus and the mother and the wife of Antony. The first two gave them a kindly reception, but Fulyia, Antony's wife, drove them from the door—very much the same treatment accorded to Miss Pankhurst, who promptly retaliated by what in suffragette language is called a "demonstration," with the consequent penalty of fine or imprisonment. The Roman matrons similarly insulted turned to the tribunal of the Triumvirs. Hortensia spoke in their name, and delivered an eloquent and powerful speech which is highly praised by the great Latin critic Quintilian, and she succeeded in getting the demands of the Triumvirs reduced to a comparatively small sum. Another instance of their success occurred when it was proposed to abrogate the law imposed in 215 B.C. by Oppius to the effect that no woman should be allowed to possess more than a half-ounce of gold, to wear a parti-colored garment, to ride in a chariot within the city of Rome or a town occupied by Roman citizens, or within a mile of their palaces except for religious purposes. No one knows why Oppius had proposed this law, as women had had the permission to ride in chariots granted them in 392 B.C., at the time of the Gallic Invasion, as a recognition of the service they rendered the State on that occasion in offering all their gold and ornaments to pay the ransom demanded by the Gauls. When the abrogation of the law was proposed by L. Valerius, the Tribune, the women did all in their power to counteract the opposition brought to bear upon them by Cato and those unfriendly to the gentler sex. It was made the occasion for the general canvassing of citizens; women neglected their households and went forth into the streets and public places to assail every man they met and ask for his vote; they held secret deliberations and public meetings; they called in aid from neighboring towns and villages, and women for the nonce seemed to flood Rome. It must have been a scene very similar, in the excitement and intense agitation it produced, to a modern election. Cato, the ugly, obstinate, red-haired Cato, led the opposition, Valerius was the woman's champion. Livy describes their respective speeches, and we regret to note that Cato's is the more forcible. We certainly think women cannot have been satisfied with the frivolous and empty plea Valerius put forth on their behalf, but their tactics had, at any rate, been successful. On the day the law was to be discussed, they rose at dawn

and surrounded the houses of the two tribunes they knew to be opposed to them. Whatever their entreaties, they were successful, and the obstinate pair gave way, so that the abrogation of the law was passed and women regained their privileges.

The chief cause which influenced the change in woman's position from one of slavery to one of dignity was the gradual change in the marriage custom. At the beginning, when Rome was nothing more than an agricultural community, the woman figured as an industrial asset in the family and her husband bought her from her father. But, as Rome grew into a great and rich city, the foremost in the world, families became rich, and women no longer represented means of production; fathers left them fortunes independent of their husband's control, and a class of powerful wealthy women sprang into being. Marriage became a contract between two people, and it could not be dissolved except by law. Husband or wife had an equal right of dissolving a marriage, but permission of a family council was necessary, as well as compliance with legal forms. Such a change in the relative position of woman made her a much more important factor in the family, and put her on a basis of equality with man. The fact that marriage was not regarded as a religious ceremony removed from divorce any idea of disgrace; and, if her first marriage turned out a failure, she had a fair chance of being happily married a second time when her choice would be wiser and more likely to be influenced by her own tastes. It also had the effect of making husbands more considerate and affectionate to their wives, and the period from 150 B.C. to 150 A.D. abounds with instances of happy marriages, unions in the true sense of the word. Cornelia, the mother of the Gracchi, Julia, the daughter of Julius Cæsar, Cornelia, Pompey's second wife, Octavia, the wife of Antony, the first Agrippina, Calpurnia, Cæsar's wife, are all examples of noble, virtuous and intelligent women, whose records show that they not only managed their own affairs wisely, but that they were helpmates and intellectual companions to their husbands; and, when opportunity arose, they proved themselves well versed in affairs of public import as well. Wives went with their husbands to the provinces and often took part in their administration, and when the Senate tried to put a stop to this the measure was vetoed, proving that their services were beneficial.

Numerous instances of their power can be adduced, but let us be content with one: "Cicero, in a letter to Athens, relates an interview which he had at Antinna, 44 B.C., with Brutus and Cassius. Favorinus was also present, and besides him there were three women, Servilia, the mother of Brutus, Tertulla, the wife of Cassius and sister of Brutus, and Porcia, the wife of Brutus and daughter of Cato. Servilia strikes in twice in the course of the discussion, and it is evident that her words carried weight. On one of the occasions, she promises to get a clause expunged from a decree of the Senate." There were many such deliberations where women were present; a mixed Cabinet would not have struck the Romans as a cause for as much ridicule as it seems to afford those opposed to Woman's Suffrage to-day. That women wielded great political power under the Empire, and even enjoyed positions of eminence and importance, is well established. Their wealth enabled them to foster charitable undertakings, to beautify their own towns and even to endow many prominent citizens liberally. In Asia Minor especially, women displayed great activity; they presided at the public games and religious ceremonies, erected baths and gymnasia, adorned temples, put up statues and contributed in every way to the enjoyment of their fellow citizens. No wonder that they were popular and rose in esteem to the extent of obtaining the highest priesthood of Asia, perhaps the most exalted position they could obtain. A Latin Inscription tells us that in Africa one woman so impressed her fellow citizens with her excellence that she was elected one of the two chief magistrates of the place. Most of the professions open to men were also open to women, but medicine, teaching and similar arts were still practised by slaves or freedmen and therefore not considered occupations worthy of a free-born citizen.

That women were allowed to hold public meetings we have seen; under the Empire these grew into a regular assembly, *Conventus Matronarum*. Heliogabalus assigned his mother a place among the Senators and built on the Quirinal a meeting-place for the *Conventus*, which his biographer calls a Senate. The matters decided there seem to have been of a frivolous and ephemeral nature, more concerned with questions of dress and etiquette than those of domestic import, and the "Senate" seems to have sunk into insignificance on account of its absurdity. Under Aure-

lian it revived for a time, and he is said to have restored to women their "Senate" and to have decreed that priestesses were to take first rank in it. Let us hope that their presence raised the nature and tone of the debates. Now, the question is whether the freedom accorded to women was instrumental in raising or lowering their moral standard. The first hasty survey of Roman life under the Empire would incline one to exclaim that it certainly produced a freedom of intercourse and licentiousness of custom seldom equalled in the world's history. But we must remember two distinct facts before coming to this conclusion—first, that the historians and comic writers of the day greatly exaggerated the vice of the age and that their writings chiefly concern themselves with the most prominently wicked and ambitious men and women of the day, that they never mentioned the thousands of good, noble women who continued the even tenor of their way and shunned the bright and vicious atmosphere of court life. Then, also, the later Christian writers took all the wheat they could find and winnowed it from the chaff, leaving the good to rot in the storehouse where they confined it, and spreading the evil in most glaring and horrible colors so as to accentuate the virtue and goodness of Christian influence as opposed to Pagan.

Secondly, we do not have to look far to find that human nature is very much the same in Christian as in Pagan days, and that the wicked flourished just as successfully under the rule of the Borgias, the reign of Charles II and James II, Louis XV and Catherine of Russia. Orgies of equal scenic gorgeousness can be found in these days, and the French Revolution and Spanish Inquisition can account for as many cruel deaths as Nero. Virtue ranked no higher among those women than amongst the matrons, and yet, they had all the beautiful truths of Christ's religion to enlighten their conscience, while the Roman women had to turn to the unattractive tenets of Stoicism as an antidote for Epicureanism. Yet in Roman history are to be found examples of virtuous and dignified women rarely equalled in any other age; and, although marriage came to be regarded as a contract equally binding on both parties and equally dissolvable by both, this did not lower the dignity of marriage because man had to be equally observant of his vows.

The Christian religion can lay claim to having done more to

establish a general standard of morality for women than any other. It was St. Paul who laid down the definite rules for women to follow. "In like manner, also, that women adorn themselves in modest apparel, with shamefacedness and sobriety; not with broidered hair, or gold, or pearls, or costly array; but (which becometh women professing godliness) with good works. Let the women learn in silence with all subjection. But I suffer not a woman to teach, nor to usurp authority over the man, but to be in silence." And a definite reason is given for these injunctions: "For Adam was first formed, then Eve. And Adam was not deceived, but the woman being deceived was in the transgression. Notwithstanding she shall be saved in child-bearing, if they continue in faith and charity and holiness with sobriety." If logic availed anything where questions of such kind are discussed, one would have thought that Adam, having transgressed with his eyes open, would have borne more of the blame than Eve, who was, after all, actuated by a desire for greater knowledge and enlightenment than Adam's society seems to have provided, more especially when we remember that her desire to learn the higher meaning of life and immortality contained none of that curiosity regarding things sexually evil which has been introduced into the meaning long after the original version of the story had become current.

The injunctions here laid down, as also in St. Peter's first epistle (Chap. II, v. 1), "Likewise, ye wives, be in subjection to your own husbands; that, if any obey not the word, they also may without the word be won by the conversation of the wives; while they behold your chaste conversation coupled with fear," and more advice as to the simplicity of apparel and absence of adornment indicates effacement, submission, and meekness, and a generally negative attitude—more especially intended, it would seem, as a safeguard for men rather than as a moral code for women. The consolation offered by Christianity especially makes appeal to all who are in bondage, and the direct and immediate acceptance it encountered from women, who were in great preponderance among the early converts and martyrs, proves that the suppressed energy latent in them was ready to flow into any channel that would command their powers of endurance so long subjected to man's control.

The Christian code of morals for women, as handed down to

us by the Apostles, does not add any new virtue to the list already drawn up for woman's acceptance. At the time when Christianity dawned upon the world, women had attained a very exalted place in religion, society and politics, and occupied positions of great influence, power and freedom. So that, when the new religion bearing in its wake reforms of a revolutionary and socialistic character came, it was only natural that women should throw themselves heart and soul into its fold, and for a time they were allowed freedom of thought, service and action. But in a very short time all this changed, and from that day women only figure as deaconesses and as martyrs, and the highest post to which they rose was that of a doorkeeper or a message-woman, a very humiliating change, when one considers that nearly every founder of a sect had up to this time had a woman to aid him. Witness, Simon Magus had his Helena, Montanus his Maximilla, Apelles his Philumene, and so on. But this tenet has to this day been adhered to by the Church, although women are by nature, and in practice, on the whole, far more devout and addicted to religious observances than men. The Church, by her adherence to primary statutes, has exerted a conservative influence, and imbued us with a prejudice against all that is not strictly orthodox, so that for no logical reason whatever we view unfavorably any innovation or concession to modern thought. Yet the Church, counting amongst her most ardent supporters that great body of women workers who from their very disinterestedness in worldly gain are able to consecrate their lives to God's service, should surely be the first to recognize woman's equality. Again, the Church, as guardian and upholder of the sacredness and integrity of family life, should place woman's claim to immunity on a par with man's. The Baptist and Methodist Churches are leading the way in sanctioning women preachers. The Church of England will only follow when public opinion has irretrievably set its seal of approval on the practice. There is no plausible argument against women's earning an honorable livelihood, or making a profession of Holy Orders, that would not equally apply against woman's being canonized and looked upon as a saint—yet the most orthodox of Churches has approved such a course, and in doing so has recognized woman's equality, but only after death. Lives of Women Saints and Martyrs furnish exhibitions of such truly marvellous courage

and fortitude, inspired by revelations of the most spiritual nature, that the Church could not do otherwise than recognize them. The Christian religion has always been regarded as having conferred enormous advantages on women. Outside the spiritual gain her doctrine brought to all, and the greater severity with which she taught men to regard women in conformation with her rules of sobriety and purity, it is difficult to see in how far woman's social position was benefited. On the contrary, her public life became more cramped, and narrowed to one of pure domesticity, and her influence in affairs outside the domain of the home was *nil*. The home itself became sad and desolate, and woman's position as a mother lost its pride, the joy of child-bearing being counterbalanced by the worthlessness attributed to life. This was the way in which men regarded women under the early influence of Christianity, and the rules they laid down for their observance. The duties of the wife were simple: "She had to obey her husband, for he was her head, her lord and superior; she was to fear him, reverence him and please him alone; she had to cultivate silence; she had to spin and take care of the house, and she ought to stay at home and attend to her children. The only occasions for her going out were when she went to church, or with her husband to visit a sick brother." Clement of Alexandria says: "Nothing disgraceful is proper for man, who is endowed with reason; much less for woman, to whom it brings shame even to reflect of what nature she is."

Gregory Thaumaturgus asserts: "Moreover, among all women I sought for chastity proper to them, and I found it in none. And, verily, a person may find one man chaste among a thousand, but a woman never." The testament of the Twelve Patriarchs makes a similar statement, and adds: "By means of their adornment they deceive first the minds of men, and they instill poison by the glance of their eye, and then they take them captive by their doings, and therefore men should guard their senses against every woman." "The Angel of God showed me," he says again, "that forever do women bear rule over king and beggar alike; and from the king they take away his glory, and from the valiant man his strength, and from the beggar coax that little which is the stay of his poverty."

How, then, were men to treat so pleasure-loving, vain and

godless a creature? She is to be shut up, all her hard-won freedom taken away, her privileges totally abolished. No longer is she to go out, nor to be seen at marriages, theatres, nor the public baths, nor the spectacles. In fact, she is to have no amusement of any kind, and when she leaves her home to go to church or to visit the sick she is to go heavily veiled—it must be remembered that Roman women no longer hid their faces, so that this was a return to Oriental customs. If a woman was beautiful, all the more reason to hide her. "Natural grace," says Tertullian, "must be obliterated by concealment and negligence, as being dangerous to the glances of the beholder's eyes." In an age when the love of beauty was still the strongest incentive to art and idealism, how painful such an injunction must have been to women who could no longer hope to be the inspiration to works of everlasting fame. It is not astonishing that Christianity soon killed all art, as everything that gave pleasure, except asceticism, was considered sinful. And so women were looked upon as "fire-ships continually striving to get alongside the male man-of-war to blow him up into pieces." Pretty clothes and finery of any kind were forbidden, and woman's sole ambition was to be to occupy herself in cooking, "so that it may be palatable to her husband," as Clement enjoins.

Now, what were the reasons that brought about such degrading conditions? They were two: first, "marriage, even for the sake of children, was a carnal indulgence"; second, "the Christians had come to the belief that the world had enough of children, that every birth was a cause of sorrow and not of joy."

One writer interprets the wail of the infant as he enters the world thus: "Why, O mother, didst thou bring me forth to this life, in which prolongation of life is progress to death?" and more in the same vein.

No wonder that wives came to be regarded as a curse leading to misery, and as a practical proof of carnal weakness in men. No wonder that all women shared in the general obloquy and that only virgins were exempt. Widows were regarded with slightly less displeasure than wives, although their past weakness was remembered against them; still, as long as they did not venture on a second marriage, which was highly disapproved of, they were regarded as showing signs of repentance for their former indulgence. Professor Donaldson comes to the conclu-

sion that "perhaps this absence of domestic affection, this deficiency in healthy and vigorous offspring, this homelessness, may account in some degree for the striking features of the next century, and especially the prevalent hardness of heart." "If a lesson is to be drawn," he continues, "it surely is that, as with individuals there is no place like home, so with a state there is no institution like home; that a community can be great only where there are happy, harmonious and virtuous homes, and that homes cannot be happy and harmonious and virtuous unless woman is accorded a worthy place in these homes, with freedom of action, with a consciousness of responsibility, and with the right, unfettered by circumstance or prejudice, to develop all that is best and noblest in her to the utmost perfection." With such a conclusion we willingly concur. Circumstance is gradually helping woman to attain her full development, but prejudice still bars the way, not only the prejudice of men, but of her own sex, in many cases as bitterly and ferociously expressed as by the early Christian writers.

We have seen that even the advent of a new faith bearing with it promises of salvation to the lowest and most degraded, had not the effect of establishing a moral code for women other than the standard relative to man's ownership. Marriage became more sacred in that it endowed woman with equal responsibility as far as her willingness and consent were concerned and made her a spiritual partner in grace. But, on the other hand, the general attitude adopted against marriage as a lower state of grace reflected on woman, and came to be looked upon as a serious hindrance to a virtuous life. Her morals were still a mere relativity to man, honor as understood among men was never taught her, truthfulness apart from man's interest not expected. A thing is never good or bad in itself as far as woman is concerned. In the New England States women were as grievously punished for being scolds as men were for stealing, simply because scolding was a serious cause of inconvenience to the husband, and he induced the community to establish it as an offence deserving the ducking-chair. In England, as late as 1850, a man sold his wife in the market-place because she was a scold. She fetched the large sum of sixpence. Instances of this kind could be indefinitely enumerated, did space or time allow. All we wish to establish is that woman's sense of honor

is not expected to be either logical or rational, and that its conception is purely masculine. One of the first reforms women should set themselves, when franchise enables them to do so, is to establish a moral standard for women in which every iota will not be relative to the sex question. The growing desire to be regarded as individuals rather than as women is getting strong enough in women of all civilized countries to make such a measure welcome to all, and it will do more to plane away prejudice and a certain false modesty than any amount of propaganda and agitation. Thus woman's position was not materially advanced by the advent of Christianity, but many of her former privileges and much of her influence became lost to her.

The curious hostility and lack of faith that animated men towards their wives all through the first centuries of Christianity are shown by the instructions and restrictions they laid upon them during their absence at the religious wars. The wife remained shut up in the tower of her castle embroidering some endless tapestry surrounded by her handmaidens. The very aspect of those tapestried battles, recording the valor of their lords, embroidered by skilled hands, but conceived by poor little ignorant brains with just sufficient imagination to lay low here a knight and upraise there a lance, is illustration enough of the patient reticence and ignorance of those high-born dames. Even the type of female beauty that figures prominently before the Renaissance as painted by the pre-Raphaelite is one that has meekness and docility imprinted in every line of countenance.

As far as their education was concerned, the domestic qualities were taught them, and a little Latin, just enough to read their prayer-books. The centres of learning being in the hands of the clergy, religious instruction played the most prominent part in education. Philosophy and the little science known were looked upon as inspired by the devil and shunned as his work. Compare the Roman matron's education to that of the Christian lady of the Middle Ages. Is it to be wondered at that the Renaissance embodied for woman, as well as man, that great rebellion of nature against the shackles of ignorance and coercion under which the Church had so successfully held humanity.

With the reawakening spirit of Paganism embodied in the love of the beautiful and the free, the great wave of returning sensibility swept over the globe, beginning in Italy and spread-

ing through western Europe to England. The world had at length awakened to the fact that it was living in bondage, that there had been treasures of art, philosophy and learning, before the advent of Christianity, and that their own productions could by no manner of means approach the classic ones. At once a great revival of art, architecture, literature and learning arose, and, although philosophy and science were still banned by the Church, many read and digested in private. Women were not slow to avail themselves of this new impetus towards a freedom of thought and action from which they had for long been debarred. Indeed, it is worthy of remark that at each new ebullition of thought, be it of a religious or artistic nature, woman at once uses the confusion that follows on the institution of a new order for an old to advance her own cause towards the moral independence and individual liberty she so earnestly craves. With amazing rapidity they adapt themselves to altered conditions and environments, and the great ladies of the Renaissance, famous for their learning, their wit, tact, cleverness and grace, in fact all the arts requisite to leaders of thought and elegance, became the subtle and dangerous rivals of the statesmen and intriguers of the day, defeating them at their own game, unscrupulous and daring as Machiavelli himself. What suppressed energy must have been waiting ready to spring forth the moment opportunity unbarred the gate. Thus in the van of every great movement we find woman pushing her way to the front with an ever active and efficient energy ready to serve her purpose. See in the days of the French Revolution woman casting aside all her conservative and more quiescent virtues, and assuming the catabolic energy of man to accomplish a work man himself at moments hesitated to pursue but for her enthusiastic persistence.

The existence of so much restive and turbulent energy seems to denote that woman has not yet accomplished the position she means to occupy in society, and that having engendered no actual purpose as yet she throws her activity into whatever channel is most ready to hand. The bond known as *esprit de corps* does not strongly exist among women, and its absence accounts for the fact that they have not brought about reforms to strengthen and consolidate their own position.

CONSUELO MARLBOROUGH.

(To be continued.)

THE FUTURE OF THE TARIFF.

BY ROBERT P. PORTER.

In May, 1897, I wrote an article for this Review on "The Dingley Tariff Bill" which was then pending. Eleven years later, I am asked to write on the proposed tariff measure now under consideration by the Ways and Means Committee of the House of Representatives, which will probably be the nucleus of the Tariff Law of 1909. In the first article referred to, it was pointed out that tariff legislation is "extra hazardous," and that statesmen undertaking such dangerous fiscal work must be prepared for the reaction. Every statesman since the War, who has been called upon to revise the tariff, has, except Mr. Dingley, wrecked either his party or himself or both before he accomplished his task. In bequeathing the tariff question to his successor, President Roosevelt has shown himself to be a politician of the first quality, for the framing of a tariff law constitutes the most difficult and complicated problem that statesmen and economists have to deal with. Nor do I speak entirely without authority on the subject. In 1882, as a member of the Tariff Commission which framed the law of 1883, I first realized the magnitude and ramifications of the tariff laws. Later, in 1890, it was my fortune to aid the late President McKinley in the statistical work connected with the tariff bill of which he was the author. Again, in 1898, as Special Commissioner of the United States, I had charge of the tariff work of both Cuba and Porto Rico, and framed and put into operation the first tariff laws of those islands. This familiarity with the subject has not inclined me to talk glibly, as some people do, on "tariff revision," to expatiate on "tariff reform" or to favor hasty and radical changes in the tariff schedules. No sooner had President McKinley promulgated the Tariff Law for Cuba (January 1st, 1899)

than merchants, both in Havana and in the United States, began to appeal to me to change the rates and classifications. Such a course, however, would have become intolerable, and President McKinley finally issued an Executive Order which declared that, no matter what might be the individual hardship, the rates must remain unchanged for twelve months.

The folly of subjecting interests involving the whole business of a country—especially of one with nearly 100,000,000 population—to periodical changes of tariff, upward and downward, is manifest. When once a tariff bill has been passed and becomes a law, it would be well if it were made a penal offence for a person—statesman, reformer or otherwise—to talk "protection" or "free trade," not for a period of twelve months, but for a period of twelve years. The Dingley Law has now been in force for more than a decade, and there may be excuse for revising it. At the same time, it should be remembered that the country is just slowly recuperating from a serious financial panic, and that operations, even if performed by careful and skilful hands, are extremely dangerous when the vitality of the patient is low. But, in this case, the wise and the unwise in tariff affairs seem to agree that revision is necessary, and hence the work will proceed, let us hope, along lines that will evolve a reasonable and, above all, a permanent measure.

Those high protectionists who are now complaining that the reduction of the tariff will injure their particular industry and necessitate a decrease in wages have largely themselves to blame for the public sentiment which demands a reduction. The Dingley Tariff Law is a much more protective measure than was the McKinley Law. To offset the increased rates levied by the former, the reciprocity clause was enacted, which, the promoters of the bill urged, would enable the President to reduce rates twenty per cent. on the merchandise coming from countries willing to make similar reductions on American commodities entering their ports. Having made this clause do valiant duty in allaying criticisms during the discussion and debates on the bill, the period of its operation was limited to two years, and hence was not made co-terminate with the law. Acting in good faith, President McKinley and Secretary Hay appointed Mr. Kasson to prepare a number of treaties in order to secure the advantages of the clause whilst it was vital. Though eight of these

treaties were negotiated (that with France being a particularly advantageous one to the United States), the high protectionists, who at the time controlled the Senate, refused to ratify any of them. These treaties were pigeonholed until the limitation in the Dingley Law permitting the President to make them expired, and all effort to revive or extend the so-called reciprocity clause was resisted. It was anything but a "square deal," and no one realized it more keenly than did the protectionist President and his able Secretary of State. Yet, speaking as a protectionist, I cannot but think that the Senate's policy was short-sighted. Had these reciprocity treaties been met with more hospitality by the Senate, there would now have been less adverse public sentiment arrayed against the tariff demanding, as President-elect Taft does, "both revision and reciprocity."

President McKinley's political insight made this clear to him, and, veteran maker of tariffs as he was, he did not hesitate to promote a policy which he believed to have become necessary. In his last speech at Buffalo he said:

"Our capacity to produce has developed so enormously and our products have so multiplied that the problem of more markets requires our urgent and immediate attention. . . . A system which provides a mutual exchange of commodities is manifestly essential to the continued and healthful growth of our export trade. . . . The period of exclusiveness is past. . . . Reciprocity treaties are in harmony with the spirit of the times; measures of retaliation are not. If, perchance, some of our tariffs are no longer needed for revenue or to encourage and protect our industries at home, why should they not be employed to extend and promote our markets abroad?"

If President McKinley had lived to carry out this policy, or had his successor been as deeply interested in economic questions as he is in "moral questions," the tariff by this time might have been removed from politics. If it is true that a high protective tariff encourages monopolies and creates trusts, a little more attention to this particular economic question on the part of the President might have reduced the number of "moral questions" which he has been called upon to deal with. In his first annual message, Mr. Roosevelt asked the Senate to consider the reciprocity treaties laid before it by his predecessor. From that time, the demand for their recognition became fainter and fainter, until no more was heard of it; and reciprocity, the "handmaiden of protection," as Mr. Roosevelt described it in

his first annual message, with the tariff itself, has been passed along to Mr. Taft, whose ability, courage and tact may be put to an early test in the part of an arbitrator which he will be called upon to play between a newly elected House pledged to "honest tariff revision" and an unrepentant Senate as yet but partially converted to the "new order of things."

Conditions which now confront the legislators at Washington engaged in tariff revision differ materially from those existing in 1882, when the Tariff Commission brought order and harmony out of the chaos of the War Tariff, popularly known as the Morrill Law. Our important industries were then just beginning to stand alone, and European—especially British—competition was a real menace to some industries. Manufacturers of iron, steel, woollens and worsteds, pottery and glass, chemicals, silk and some miscellaneous other products, were becoming better able to compete with their foreign rivals, and whilst they were not so insistent on advances of rates I recollect they rather strenuously opposed reductions. Other conditions were different. The trade complications and trusts had not developed to anything like the extent in which they exist to-day. The individual firms, or rather their representatives who gave evidence before the Commission, were, as a rule, able to weave into their testimony and statements a story of perseverance in overcoming difficulties and enterprise in establishing American home industries, and they evoked sympathy and to a reasonable extent deserved governmental encouragement. One illustration, perhaps the most picturesque, is sufficient to illustrate my meaning. Take Mr. Carnegie's testimony before a Tariff Committee which met twenty-five years ago, and compare it with his evidence last month. Then he was an enterprising manufacturer anxious to develop a great industry this side of the Atlantic. Then he was a man with unbounded faith in the resources and possibilities of his adopted country—resources and possibilities which could only be brought into active operation by a bold policy of protection which declared that those industries should be established here for the use and benefit of the American people, and that it was cheaper in the end to make and buy at home and employ American labor —even though the price were higher—than to import from foreign countries. These were sentiments that rightly affected the legislators. The situation to-day is different; for, as Mr. Car-

negie has himself told us, the infant has grown to be a giant. The American iron and steel industry, taken as a whole, is firmly established; and even those actively engaged in it would not be foolish enough to admit that the trade requires the same protection as it did in the earlier stages of its history.

But it does not follow that it would be wise to transfer even the iron and steel schedule to the free list. Neither is it certain that the conditions of all industries established and protected by the tariff permit of an indiscriminate reduction in the rate of duty. A substantial reduction should be made on those articles in the manufacture of which America is strong; while, on such articles as other countries lead in manufacturing, a rate of duty should be maintained that will compensate American manufacturers for the difference in the cost of labor which exists largely because of the difference between the wages paid here and those paid abroad.

What is true in regard to the iron and steel industry may be true in a greater or less degree in regard to other schedules. The woollen and worsted schedules undoubtedly contain excessively high rates of duty, and the estimable gentlemen representing these interests have invariably failed, when requested, to take the public into their confidence as to the exact cost of manufacturing. Heretofore, the *ex-parte* statements of interested witnesses have been accepted, not through any collusion between the framers of the tariff law and the manufacturers, but because, as a rule, counter-statements were not offered, or, if offered, were proved, on examination, to be even less accurate than those furnished by the manufacturers themselves. No one would accuse such statesmen as Judge William D. Kelley, President McKinley, Representative Dingley, Senators Allison and Aldrich, and many others who have had charge of a generation of American tariff legislation, of dishonesty of purpose. They have been largely occupied with the ambition of establishing as many diversified industries in this country as practicable, and with keeping the wages of American labor as high as possible. That the idea of a "full dinner-pail," employment for labor at good wages and a prosperous country should have become part of the platform of a political party is not unnatural, and that the statesmen prominent in tariff legislation should be regarded as popular leaders of the party of protection may have been their reward.

But I am talking of the past. The future is both more interesting and more important. The country and its industries have outgrown the older methods of tariff revision. The personal element has disappeared. The men who struggled with the beginning of American manufacturing have, as a rule, been rewarded financially by the splendid growth of the country, and many of them have passed away, together with the capable statesmen who patiently listened to their stories and heeded their plea for protection. Many of those who are still with us, like Mr. Carnegie, are rich beyond the dreams of avarice, and no further sympathy need be extended to them. In their place, we find, in many instances, large impersonal combinations, capable of utilizing all the modern methods of production, and able to hold their own in the world's struggle for industrial and commercial supremacy. The persistent sale in foreign markets of commodities produced by the American manufacturing trusts at a lower price than that maintained here has rightly caused great dissatisfaction at home and added much to the unpopularity of the tariff. Nevertheless, these trusts, representing as they do an immense army of American wage-earners, are entitled to be heard on their own behalf, and to a fair and just consideration on the part of the legislators. The protective system that brought them into existence cannot wisely be suddenly withdrawn. Extra care should also be exercised even in making "reasonable reductions" of the tariff during a period of temporary business stagnation. It should be borne in mind that these industries are part of our commercial fabric, and if those who control them are compelled to cheapen their output by the reduction of the rate of duty to an extent that will necessitate the discharge of hands or the reduction of wages, those now clamoring for tariff revision may turn and rend the revisionists, just as they did after the passage of the Wilson-Gorman Tariff Bill. Moderation should, therefore, be the watchword.

The moral aspect of tariff legislation has, at least to my mind, undergone as great a change in the quarter of a century under discussion as have the economic aspects. This was illustrated the other day during the discussion of the woollen schedule, when it was brought to light that a Government servant now holding an important official position in Washington and a statistician of note, helped the Chairman of the Finance Committee of the

Senate when the Dingley Bill was in the making, though at the time he held the position of Secretary to the Woollen Manufacturers' Association. It is true he received no pay from the Government for three months of arduous work, but public opinion, nevertheless, was shocked and surprised at the possibilities which the incident opened for corruption, and the newspapers not actually denouncing it decidedly disapproved of this method of tariff revision. As a matter of fact, it was only a little old-fashioned. In making up the Tariff Commission of 1882, President Arthur did not hesitate to appoint the Secretary of this same organization, Mr. John L. Hayes, to the Presidency of the Commission. The Secretary of the Wool Growers' Association, Mr. Garland, was also a member of that Commission, while iron and steel, sugar and pottery, all had strong representatives in its deliberations. To be sure, free-traders objected to this, but the general public regarded it as they once did the "good old spoils system" as a matter of course, and went on their way unheeding. The Bill those gentlemen prepared was, upon the whole, a fair one, alike to the protective interests, the importers and the consumers. Nevertheless, the principle was wrong; and, with the public conscience awakened on the question as it is to-day, no President would dream of making up a Tariff Commission on similar lines.

The present changed method of preparing for the work of tariff revision should show a great difference in the result. The Bill of 1883 was changed—for the worse, I think—in the Ways and Means Committee room; the McKinley Bill of 1890 was largely settled in Mr. McKinley's room at the Ebbitt House by protectionists; the Wilson Bill was the work of those interested in a low tariff. But the methods adopted were the same. The Dingley Bill was in process of formation when the high-tariff advocates were squarely in the saddle and McKinley himself in the White House. Here again the methods were practically the same, but the growth of the country made them more cumbersome. President McKinley had even then outgrown these methods, and he regarded the Dingley Tariff as too high in parts. I discussed it with him at the White House while it was under consideration, when he said to me that he hoped Mr. Dingley would have no rates of duty higher than those of the McKinley Tariff. As to whether Mr. Dingley did have or not, a comparison of those two measures would tell, but subsequent events, together

with the extract from Mr. McKinley's last speech before quoted, show that, before his tragic death, Mr. McKinley believed the modification of certain schedules would not be injurious to American manufacturing industries.

The recent hearing before the Ways and Means Committee indicates a broader method of treatment. In the testimony, the *pros* and *cons* of the tariff question have been more distinctly brought out than has been the case at any inquiry of the kind within my recollection. The official data bearing on the subject in possession of the Committee, I have been given to understand, are reliable and complete. Such trustworthy data will be very necessary if the Committee propose to act on the promises of the Republican platform in framing the tariff of 1909, and to "maintain the true principle of protection while so adjusting the rates of duty as to equal the difference between the cost of production at home and abroad," always bearing in mind "a reasonable profit to American industries." A more complicated and difficult task it would be impossible to imagine, and should the House and Senate Committees succeed in carrying it out they will deserve great credit. Just how it is to be done I am not prepared to say, unless some general rate of difference in wages could be established and that rate be taken as the maximum rate of duty for the new schedules. But, whatever plan is agreed upon, it is almost sure to antagonize some interests, and those interests will naturally do their best to convince Congress that their business has been seriously injured.

The proposed feature of maximum and minimum rate of duty I approve and hope to see incorporated in the new law. It is merely another way of carrying out the original intention of the Dingley Law when the Reciprocity Clause already referred to was inserted. The public demand for such outlets for trading with other countries—a demand which secured the insertion of the maximum and minimum clauses in the National Republican platform at Chicago—indicated that the practical nullification by the Senate of the reciprocity principle offered in the Dingley Law has been disapproved by the country.

In forecasting what I thought the Dingley Bill should be I used the following language, which I quote, as it applies to the measure now in course of preparation:*

* See NORTH AMERICAN REVIEW, May, 1897.

"So our tariff should be high enough to make up for the difference in wages paid here and abroad. It should be sufficient to protect American industry and American labor. It should, moreover, be just and equitable to all branches of industry. Irritating duties, unimportant from a revenue point of view, such as duties levied on scientific apparatus and books for schools and colleges and libraries for educational purposes, including all works of art, may with safety be avoided. There should be no discrimination. And, lastly, it must be framed from the foundation with a view to revenue necessities of the Government."

In conclusion, let me endorse the idea which, I believe, has been fully discussed in the pages of this REVIEW by other contributors, namely, that a permanent Commission should be appointed for the purpose of investigating and suggesting to Congress, from time to time, changes in both the administration and classification of the tariff law and in the schedules of rates. Only in this way can the tariff be taken out of politics, as it should be, for the country is now too large and the interests involved too vast to permit of a fluctuating tariff policy. A permanent non-partisan Commission could investigate and annually recommend to Congress the necessary changes. Then the tariff itself is constantly changing. That is, a specific duty of so much per pound, or other unit, to-day may be a reasonable rate, but should the price of the article be cheapened it gradually becomes a high or even unreasonable rate. Such a Commission could also furnish Congress with exact information in relation to the sale of articles (the manufacture of which is protected by the tariff in America) in foreign markets at prices greatly below those charged the domestic purchaser. To what extent the formation of trusts tends to create monopolies, control the market or enhance the cost of commodities to the home consumer is a vital question which can only be fully answered by persistent practical inquiry. A carefully prepared measure, containing the salient features of both the Beveridge and La Follette proposed Commissions Bills, should be approved and enacted as part of the tariff law of 1909.

ROBERT P. PORTER.

PERPLEXITIES OF TARIFF REVISION.

BY ALBERT H. WASHBURN.

THE attitude of the two great parties on the tariff during the Presidential campaign — one declaring "unequivocally" for revision at a special session to be called immediately after March 4th, the other through the Denver platform welcoming "the belated promise of tariff reform" made at Chicago—foreshadowed some months ago impending tariff changes. Any small margin of ante-election doubt was wholly wiped out by the choice of a President and a Congress in political accord with each other. Indeed, the official death warrant of that somewhat venerable measure known as the "Dingley Act" is now in actual preparation. Before it can be signed, however, the present tariff will have had a longer lease of life than any of its prototypes—not excepting the Walker Tariff of 1846, which remained for eleven years on the statute-books with unimportant modifications.

The fact that the main stream of our national income flows from duties upon imports makes tariff revision serious business at all times. For the fiscal year ended June 30th, 1907, which reflects fairly the growth of the past decade, our total income, excluding postal receipts, amounted to $665,306,134.92, of which a little over half, $333,230,126.49, consisted of customs income. The shrinkage of nearly $60,000,000 in revenue from the same sources during the fiscal year recently ended is accounted for to the extent of approximately $47,500,000 by the falling off in duties, notwithstanding that, of the nearly $600,000,000 collected, something in excess of $285,000,000 consisted of customs receipts. These figures show how largely the tariff is the keystone of our fiscal arch. They give us, too, some hint of the magnitude of the responsibility involved in any sweeping revision.

Tariff legislation is Committee legislation in its early stages; in its final stages it is largely Senate legislation. Revenue measures must originate in the legislative branch nearest the people —so runs the Constitution, and we still carefully observe the ancient forms. The Ways and Means Committee drafts the bill which is reported to the House. The preliminary work of revision is usually done some months in advance of the assembling of the enacting Congress. Public hearings are held and the Committee is flooded with advice, suggestion and recommendation, much of it of uncertain value, which is published in bulky volumes and presently consigned to oblivion, thereafter to be resurrected occasionally as an infrequent aid to a Federal court in determining what was in the legislative mind when it adopted some particularly ambiguous schedule.

It is safe to say that the work that counts in tariff building is not done in this way. From March, 1875, when Speaker Blaine retired, down to the Fifty-first Congress of "Tsar" Reed, which was elected with Harrison in 1888, the Republican party controlled the Lower House for two years only—and that was the Congress which it managed to pull through with Garfield in 1880. During the life of this Congress, a Tariff Commission, consisting of nine Commissioners taken from civil life, was appointed to gather expert information. This body travelled about the country by easy stages, visiting the great industrial centres and making copious notes of what it heard and saw. It filed with the Speaker of the House a voluminous report prepared with great care and evidently intended to inform and instruct. It is apparent from the tenor of its recommendations that the Commission hugged the delusion that a grateful Congress would make haste to enact into law the results of its toil and sacrifice, but the chief historical interest which this public document possesses lies in its total lack of resemblance to the Act of March 3rd, 1883. Then, as now, the real work was done *in camera.*

Of much more human interest, measured by practical standards, is the nature of the information supplied the Committees of the House and Senate by various tariff experts, notably members of the Board of General Appraisers. The members of this tribunal —nine in number—are clothed with original jurisdiction of all customs disputes, except those growing out of seizure. They are now vested with the powers of a United States circuit court,

enjoy practically life tenure, and determine with more or less finality the classification and value of imported merchandise. To these men, more perhaps than is generally supposed, members of the House and Senate have of late years turned for expert information concerning the different schedules.

In anticipation of coming revision, a large amount of data has been collected for the use of the House and Senate. Its quality, taken as a whole, is understood not to be altogether satisfactory, but one feature of it is probably superior to anything hitherto attempted on like occasions. Each paragraph of the tariff has been carefully annotated with all the judicial decisions construing it, and phraseology to meet these decisions (especially those adverse to the Government) has been suggested, there is excellent ground for believing, by general appraisers and other officials.

If the work of revision should halt at this point, the result, of course, would be mere patch-work. Extreme Stand-patdom may hail such a policy as the highest wisdom, but it is likely to be overruled. It is precisely at this point, however, that the preparatory tariff work shows signs of breakdown. It is now freely admitted that the interrogatories which were prepared last summer to aid our consuls and special agents in their efforts to ascertain the cost of production abroad have been singularly barren of results. Foreign manufacturers are reported to be reluctant to open up their books and analyze their costs of production, especially when the advantages to them from such a course are decidedly dubious.

Confronted by a "conspiracy of silence" abroad and by the avarice of a certain type of domestic beneficiary at home, the Committee's plight is serious, for upon the thoroughness and accuracy of this kind of information the theory of a just scale of compensatory duties rests. Moreover, if it would do its full duty, the Committee must comply with another condition quite as difficult of fulfilment. It must grope in the twilight land of modern industrial management to construe and fix the "reasonable profit" guaranteed by the Chicago platform.

All this presents one of the strongest reasons that could be advanced for the establishment of a permanent bureau of experts who shall devote their time to the study of comparative trade conditions. If protection is to continue to be the settled

national policy, the necessity for some such cog in our system is, however, very real—more pressing, even, than the altruistic demand for the creation and multiplication, at this juncture, of separate Federal courts of review. This need not involve any legislative abdication whatever. It is probable that no really scientific tariff, well balanced and consistent throughout, will ever be devised so long as we cling to the present haphazard methods. The German Conventional Tariff now in force is said to have been the outcome of five years of unlimited labor by a Government Commission which collected and classified every available scrap of expert evidence. With a task quite as herculean, and involving, from present indication, some adoption of the maximum and minimum idea, we are seeking to do the same work after a preliminary preparation of something like five months.

In one respect, the formal beginnings of revision have not been happy. The announcement the day after election of immediate public hearings was so sudden to the uninitiated and the time allotted so scant that many sceptical persons promptly concluded that the whole programme was cut and dried. It was asserted and believed in some quarters that there was to be a "bogus" revision, and that the hearings were intended to be perfunctory only. The effect of all this was to discourage, at first, the offering of testimony. It was the more unfortunate because there was not the slightest ground for supposing that a single rate had been written in the new bill or agreed upon in advance. The suggestion of phraseology by experts is quite another matter. At best, it is but recommendation, with the rates left blank. The prevalence of any wide-spread belief that the new tariff is prejudged can only hamper the Committees of the House and Senate in their task, already sufficiently hazardous, of framing a bill which shall meet reasonable public expectation.

After a bill comes out of the Committee of the Ways and Means, it runs the gauntlet of the House, which is not so formidable as it may sound. Most of the recent measures have passed after a meagreness of debate upon the merits and an absence of amendment which would indicate a striking unanimity of view, were it not the perfect flower of a system of cloture which an unwieldy membership has made possible. From the House itself, the bill goes to the Finance Committee of the Senate, which

may, if it chooses—and it sometimes chooses—retain little of the original House measure save the enacting clause. In the Senate, where debate is unlimited, the first real debate takes place. The members of the party in opposition resolve themselves into a Court of Inquisition, and proceed to inquire and discuss until they are content to give the "unanimous consent" requisite to a final vote. All the multitude of amendments which slumber unoffered for lack of opportunity on the desks of House members may be proffered here without hindrance—the great majority all in vain. Finally comes the all-important Joint Conference Committee on the part of the two branches, where there is usually much mutual recession, calling sometimes for the entire redrafting of paragraphs and schedules to meet the criticisms and objections of the final framers. Amendments may be offered at any stage and a certain number, more or less crudely drawn, find their way into the body of the bill before it goes to conference. It is upon this Committee that is cast—with such expert aid as it cares to command, of course—the stupendous labor of sifting and comparing inconsistent provisions, restoring the nice adjustments between rates on raw materials and finished products wherever they have been disturbed, and finally grouping the paragraphs and schedules into the proper perspective. Even with this vigilance, every bill is more or less marred by inconsistency and contradiction.

The one notable exception to this method of procedure was in 1894, when the late Senator Gorman of Maryland, speaking for the Democratic malcontents who were dictating the Senate action on the bill of that year, solemnly notified Chairman Wilson and his confrères of the House that they could take the Senate bill without the dotting of an *i* or the crossing of a *t* or leave it—and the House yielded with a very wry face. The tariff measures which bear the names of McKinley and Dingley, in a lesser degree only, have the distinct Senate impress.

A few years ago, an eminent, though somewhat unfriendly, foreign critic of our institutions complained that there is no debate worthy of the name accompanying the enactment of a new tariff, that on the economic or fiscal merits hardly a thought is bestowed, and that our chief concern is to satisfy and reconcile the clamor of local interests. This criticism, like so many other superficialities, contains only a half truth. The tariff is doubt-

less more of a local question than was generally believed when General Hancock made his now famous announcement of the campaign of 1880, but no measure can be justly taxed with being entirely devoid of all sense of economic or fiscal proportion. If it were possible, of course, to found an ideal state where everybody thought alike and where there were no jarring interests, some dominating mind might very likely evolve a perfect bill. But no tariff bill can possibly be the product of one mind, no matter how dominating. It is begotten of the fierce conflict of many interests and many minds, and therefore far from perfect.

That a tariff debate does not yield much that is informing to the economic student need occasion little surprise, even to the intelligent foreign critic. Aside from a very lively appreciation of the demands of his district or State, the average member of Congress has little more real insight into the intricacies and niceties of the different paragraphs composing a schedule than has the Grand Llama, and this must be so. An apt illustration, only one of many, is found in the steel schedule. It sufficed formerly to group wire in the same paragraph with numerous other articles.

Thus we find this language in the Act of 1862:

"On steel in ingots, bars, sheets or wire, not less than one-fourth of an inch in diameter, valued at seven cents per pound or less, one-fourth of one cent per pound; valued at above seven cents per pound and not above eleven cents per pound, one-half cent per pound; valued above eleven cents per pound, and on steel wire and steel in any form, not otherwise provided for, five *per centum ad valorem*."

Here was a simple provision compared with the highly specialized separate wire paragraph of the present Act:

"137. Round iron or steel wire, not smaller than number thirteen wire gauge, one and one-fourth cents per pound; smaller than number thirteen and not smaller than number sixteen wire gauge, one and one-half cents per pound; smaller than number sixteen wire gauge, two cents per pound: provided that all the foregoing valued at more than four cents per pound shall pay forty *per centum ad valorem*. Iron or steel or other wire not specially provided for in this Act, including such as is commonly known as hat wire, or bonnet wire, crinoline wire, corset wire, needle wire, piano wire, clock wire and watch wire, whether flat or otherwise, and corset clasps, corset steels and dress steels, and sheet steel in strips, twenty-five one-thousandths of an inch thick or thinner, any of the foregoing, whether uncovered or covered with cotton, silk,

metal or other material, valued at more than four cents per pound, forty-five *per centum ad valorem:* provided that articles manufactured from iron, steel, brass or copper wire, shall pay the rate of duty imposed upon the wire used in the manufacture of such articles, and in addition thereto one and one-fourth cents per pound, except that wire rope and wire strand shall pay the maximum rate of duty which would be imposed upon any wire used in the manufacture thereof, and in addition thereto one cent per pound; and on iron or steel wire coated with zinc, tin or any other metal, two-tenths of one cent per pound in addition to the rate imposed on the wire from which it is made."

It requires but slight study to show that this provision was intended to protect the wire-drawing industry of the United States and to provide a progressive increase in duty dependent upon advancement in manufacture. Only a technical expert could have suggested the form of such a provision.

This growing complication in modern tariffs has made revision, in its details at least, more and more the work of the expert and less and less the work of the legislator himself. Indeed, it is only a corporal's guard now, with Senator Aldrich pre-eminently at its head, and a dwindling corporal's guard at that, with the passing of Mr. Dingley and Senators O. H. Platt and Allison—that may be said to be thoroughly familiar with tariff anatomy.

From the moment a bill is reported to the House and its provisions published to a waiting world, up to its last hour in conference, the interest in the outcome is intense. Some of the criticism is academic, in the sense that it proceeds from persons who are disinterested and who view a tariff as good or bad according as it approaches their ideal of protection or free trade. All this no doubt has its useful side, but has little effect upon the work in hand. Party policy having decreed the measure, party discipline is adamantine.

There is quite another form of attack which is not precisely inspired in the interest of pure dogma. It proceeds with some directness and insistence from those immediately affected. When one of the most powerful of human motives—self-interest—is in action, the spectacle is not always edifying. But, after all, it is very human, for the mental attitude of men who see, or fancy they see, their business imperilled by a proposed rate of duty is hardly likely to reflect calm indifference. Manufacturer and importer alike are vitally interested, and common business pru-

dence compels them to heed every change likely to affect them directly or remotely. Neither can afford to ignore the march of events and both are more or less constantly on guard.

The forces representing domestic interests are, as a rule, the most effective and the best disciplined. They long ago learned the value of organization and intelligent concerted endeavor. Somehow, the efforts in the name of the importer are apt to be less telling. Perhaps this is partly because the importing portion of our population is not a potential force outside of New York City; perhaps its political activity is more circumscribed. Whatever the reason, the fact is undoubted.

No schedule illustrates better the truth of this than that which relates to wools and woollens. The necromancy of the "political shepherds" in any legislation affecting the tariff has long excited the admiration of the envious. Nothing suspected of containing a fibre of wool, whether in a raw or manufactured stage, escapes attention. The average rate of duty on raw wool approximates forty per cent. It is, however, not so much the rate, as burdensome as it is to many domestic woollen manufacturers who require grades of wool that cannot be grown here, which makes the importation of raw wool a doubtful enterprise. It is rather the system of progressive specifics based on value. For example, wool of a certain condition, with a foreign market value of less than twelve cents a pound, pays four cents a pound duty, while it pays seven cents a pound if worth more than twelve cents. The determination of the market value rests with the customs officials in the first instance, and with the Board of General Appraisers finally. Not infrequently a decision that the market value of such wool is a very small fractional part of a cent over, though conclusively shown to have been purchased under, twelve cents, has operated not only practically to double the duty, but also to pile up fines and penalties because of technical undervaluation so stupendous in size as to cripple, if not actually ruin, the consignee.

The word "wool," moreover, is most comprehensive in scope, and is made so by the explicit language of the tariff. For a long time skins containing patches of mocha hair which had cost more to remove than the hair was worth as a commercial commodity—the skin used in the manufacture of glove leather being the thing that was valuable—was assessed at the wool rates,

until the United States Supreme Court reversed the practice about a year ago.*

Expressed in terms of *ad valorem* equivalents, some few of the rates on woollen manufactures exceed 150 per cent. and a numerous variety of articles take rates above 100 per cent. The average rate on manufactures of wool is estimated at about ninety per cent. This result is accomplished under the cloak of a mixed specific and *ad valorem* system, which conceals admirably many rates that are in effect prohibitory. It is a familiar principle running through most tariffs to assess merchandise according to the component material of chief value, but the provisions in the wool schedule for articles of wearing apparel of every description, and manufactures generally, wholly or in part of wool, are so adroitly worded that their drag-net provisions catch such foreign articles as cotton quilts having a fringe of wool, and even paper mottoes embroidered with wool, insignificant alike in quantity and value. There can be little doubt that the wool schedule, like the steel, will be one of the storm-centres of revision.

The revenue aspects of a tariff must always be kept constantly in view. It is, of course, axiomatic that the degree of prosperity has a marked influence upon the volume of receipts. It is perhaps unfortunate that revision follows a period of sharp, if temporary, industrial depression, and at a time when the serious falling off of revenue threatens a deficit of alarming proportions. This circumstance, while it can scarcely fail greatly to embarrass, will not of necessity defeat a thorough overhauling of existing schedules.

The party in power in its formal written platforms, and through the speeches of its recognized leaders, has often declared that it is not wedded to any particular set of schedules, but its latest pledge for revision is not necessarily to be confounded with drastic reduction. The Republican candidate, in his letter of acceptance, indicated a belief that, if some rates were too high, others were too low. It ought to be said, however, that every authoritative utterance of Mr. Taft since his election arrays him on the side of a thorough and scientific revision, wherever that may lead. It is significant that the Wilson Act of 1894, which was originally offered as a "reform"

* 206 U. S., 194.

measure, contained many substantial advances. If the pruning-knife is to be wielded with any vigor upon schedules suspected of harboring abuses, the loss of revenue which will result from this operation must, if present conditions continue, be made up in other directions. This supposed loss will in some instances doubtless be more apparent than real, for it should be said in this connection that an examination of the annual receipts derived from the rates imposed by many paragraphs in the present act will prove conclusively that, though high, they are not revenue-producing, for the simple reason that they are in effect prohibitory. It may be accepted as absolutely certain that a substantial increase in revenue, perhaps sufficient to balance losses elsewhere, would flow from a readjustment of these prohibitory duties to a point which would permit wherever possible a reasonable volume of importation, and at the same time "equal the difference between the cost of production at home and abroad, together with a reasonable profit to American industries"—in accordance with the latest utterance of modern protection.

It is an interesting and instructive fact that political disaster has often followed quickly in the wake of a new tariff law, sweeping from the place of power the party responsible for it and terminating abruptly, for a season, if not forever, many promising careers.

These are some of the reasons which combine to make any new tariff programme unattractive, not to say extra hazardous to its sponsors. But there is an added terror. The party in power must shoulder all the responsibility for prevailing conditions, and prevailing conditions are unfavorably affected in a marked degree by agitation, much contemporary argument to the contrary notwithstanding. The mere doubt and uncertainty which obscure the immediate future are in themselves enough to halt industrial activity, and while they last business looks on paralyzed and helpless. The halt may be temporary, but the following recovery and readjustment are sometimes, for reasons not readily explained, exceedingly slow.

It is not surprising that political expediency would defer action upon such a vexed question as long as possible, and that party leaders look upon tariff revision as a kind of Pandora's box which they dread to open.

ALBERT H. WASHBURN.

A PLEA FOR THE AMERICAN ARTIST.

BY ARTHUR HOEBER.

No work of art ever happened! It always has been and always will be the result of premeditation on the part of the artist. "How does he mix his paints?" a lady once asked Dr. Johnson, speaking of Sir Joshua Reynolds. "With brains, ma'am," replied that testy oracle. And he thereby covered the entire situation. It is with brains that the painter mixes his pigments, with brains that he conceives, executes and completes a picture; and every well-equipped set of brains has its own particular way of carrying this out!

It seems little short of the miraculous that a human being should be able, on a piece of paper, board or canvas, with a few pigments, to depict some phase of nature, some memory of color, form and texture, and so to evolve a beautiful, poetic rendering of the sky and earth, or the form of man or woman, to delight the eye, to soothe the soul, to evoke the higher and sublimer thoughts of his kind. It is strange that the ability to do this should depend on no environment or heredity, but that peasant and patrician alike should receive the unmistakable call to the arts. It is a call, too, that may not be denied, that holds one enthralled to the end. The pathway to fame is no easy road, for it contains more thorns than flowers, holds many discouragements, and few who enter it are crowned with success. It is a lonely road, too, beset with difficulties, with false lights and narrow turns, wherein it is easy to lose one's way, where there are heartaches and much unhappiness, with alternate hope and despair.

Who starts on the journey, however, seldom turns back, whether failure or success be the result. Among dramatic folk, they say, whoever brushes against the scenery of a theatre never gets the paint from off his clothes. So he who embarks on art is

thereupon rendered unfit for any other career. In other professions a man is aided in his studies by various technical books of reference, by useful authorities, by precedent. In art, it is quite otherwise. He must, if he is to be an original painter, find his way all alone. He may look at pictures, but it is fatal to copy a master's manner. Put ten well-equipped painters before the same subject, landscape or the figure, and each will interpret it differently. Each result will bear little resemblance to the other in color or conception; and yet, of course, all will more or less suggest the original. In point of fact, no two men see color alike and no two express form alike, though the basic elements of form must be more or less identical. One has only to note, however, how the masters of art have their own individual manner of expressing themselves. So there enters immediately the question of personality, of temperament, of the quality of the individual which counts in art to so large an extent. For though the tools of the trade differ not at all, and though the entire range of the palette's pigments is at the disposition of any man, it is a question as to how they are used and mixed.

In the practice of painting, as in other professions, the master is a rarity. Training, curiously enough, does not produce him. The world is full of astonishingly clever and dexterous men, wizards with the brush and pencil, who yet never get beyond technical excellence. Others there are who have poems to give to the world, but whose halting, ineffectual methods result in hopeless failure. Men with noble ideas and grandiose sentiments, with adequate technical ability, have yet failed to reach the flights demanded by an exigent public—failed through reasons which are scarcely to be analyzed, but are nevertheless felt, reasons comprehensible, if not always definable. Yet another, clumsy of workmanship, uncertain mayhap of touch, but with the simplest of theme, will of a sudden strike the note that compels attention, that appeals with unmistakable force and that may not for a moment be misunderstood.

What, then, constitutes the master? Who shall say? There are singers whose training is faultless, whose voices are like perfect instruments, whose knowledge of all the technique of music is well-nigh complete, but whose rendering leaves you cold and unmoved; and there are others, full of imperfections, lacking

much of the fundamentals, untrained, without experience, but who, at the first note, tug at your heart-strings, compel your appreciation, wring from you gratitude and sympathy. Yet one may not coldly and speculatively formulate specific reasons for all this. Contrary to all rules of logic, you are unconsciously drawn to the one, while you reject the other. And as with music, or acting, or oratory, so with pictures. It is, after all, simplicity that impresses. The personal element, counting so largely in music and acting, is equally potent in painting—this individual manner of seeing nature, of presenting color, form, light and shade, of handling pigment, of using, as it were, the tools of the trade. "Style," says Buffon, "is the man himself"; while, in one of his famous letters, Lord Chesterfield maintains that "style is the dress of thoughts." And while style is difficult to originate, it is easy of imitation. Perhaps I ought not to speak of "originating" style, since that would suggest one's directly seeking after a novelty of manner, whereas the thing really worth possessing comes, as it were, intuitively, with never a thought of its value as an artistic asset. It is part and parcel of the big man's equipment, his spontaneous way of giving out his thoughts, his natural manner of expression; and his work is frequently excellent rather in spite of it than because of it, curious as this may seem; since it is what he has to say, rather than how he says it, that is of greatest importance. Yet, when one has something to say, a pleasing mode of conveying the idea naturally emphasizes and enhances the statement.

I have said that there are many clever craftsmen among painters, as there are many unscrupulous men among art-dealers, and it is at this point that these come within the scope of our consideration. The average man is imitative, perhaps of necessity. As, more or less blindly, he follows the fashions in the adornment of his home, in the cut of his garments, in the manner of his living, what more natural than that he should let his taste in pictures be dictated by the prevailing mode? A certain painter is pronounced a master. His canvases are heralded abroad. His name carries weight, his signature possesses authority, and the prices for his pictures advance. When the painter dies and the source of supply is cut off, their value is still further increased. Incidentally the artist is no longer present to testify as to the genuineness of the work attributed to him.

To have distinctive touch, to paint differently from the average artist, is an unusual gift. To imitate such a manner, however, is not difficult. To produce canvases superficially resembling the originals is well within the ability of many craftsmen. Go through any of the European museums, and you will see hosts of professional copyists dexterously reproducing the works of the masters and giving their copies the semblance of color, form and texture of the originals that renders detection almost impossible. Yet place these same limners before nature, and their results are likely to be most indifferent. Creative power alone is the gift divine. But be sure that if there is a great market for a certain commodity, men will meet its demand at whatever cost of honor or conscience.

Nor must the collector be adjudged an incompetent if he be deceived at times by false attributions. Doctors have not infrequently disagreed before now. The picture-forger is generally a most expert counterfeiter, giving careful and intelligent attention to his work, bringing to bear on his labors a deadly cunning, great experience and astonishing natural gifts. For the reward is financially very great, and the chance of detection, alas! most remote. Dead men tell no tales. It is hard to substantiate mere suspicion when there is no tangible evidence available, and it is sometimes only when thieves disagree that honest men come into their own. Of course there is a limit to the output of even the most fecund. The landscapist is a more generous producer than the figure-painter for obvious reasons, and his work is more easily counterfeited since the matter of drawing in figure is always a stumbling-block. Tree forms and landscape construction are more or less arbitrary, while the human figure demands certain definite treatment, a failure to conform to which at once arouses suspicion. The great Frenchman, Corot, has the questionable distinction of having been copied more than any other painter. Although he was nearly eighty when he died and had worked hard all his life, being most prolific as well, it is estimated that in America alone there are more canvases purporting to be by him than he could ever have executed had he lived one hundred years!

Other members of his group, known as the "Barbizon men," have received the serious attention of the forgers, for these "Men of Thirty," as they are also called, have been eagerly sought after

in the auction-rooms and fabulous prices have been paid for their works. And these exorbitant figures, in many cases quite absurd and not justified by the excellence of the work, have of course been the incentive of the unscrupulous dealer. The modern Dutchmen, too, have been boomed in an exaggerated way by the reasonably honest but perforce gain-seeking dealer, though in truth one may not find fault with a merchant if his *clientèle* be willing to pay great sums. So the men from Holland are being largely imitated. The late Anton Mauve, who, during his life, found but modest appreciation for his capital work, has left a name that is conjured with, and mere sketches by him soar into the thousands. Could the forgers ask more? So false Mauves come into the market. Annually there come to New York, which is naturally the art entrance port of this nation, hundreds of imitation old masters, plausible in some cases, rank in others. And with these come genuine old canvases by men of the time, pupils, students, artists perhaps of the third and fourth rate, for the painters of the seventeenth and eighteenth centuries were nearly as numerous as the sands of the sea. These are sometimes fair in drawing, with color not only originally good, but now mellowed by age, which are offered as by the great men, and so accepted by many a buyer.

It is a curious circumstance that there are many men to whom ancientness in a canvas is its first claim to consideration; so it be old and mellow, so it be pretty nigh indistinct and of a composition of its time, its commercial possibilities are unlimited. That it be badly drawn and hopeless in anatomical construction are matters of little import. You argue that Raphael was at least a polished draughtsman, that Rubens knew his anatomy, that Watteau was the soul of fanciful grace and charm, but that in none of the examples offered as genuine are the particular qualities of these masters remotely manifest. Whereupon you are indignantly combated by *provenance,* by documentary evidence of all sorts, the owner having, in short, everything in his favor, all—save, unfortunately, the picture, which in its utter unconvincingness is worthless. Indeed, this alleged old-master craze is one of the most inexplicable and exasperating phases of collectorship as it is lugubrious, disheartening and tiresome. Of beauty, joyousness and charm the canvases contain rarely any trace. It is quite impossible to get at the point of view of the

man who is thus content with ugly, not to say repulsive, travesties of the human form, or dismal landscapes far from conveying even remotely any sense of nature's lovely designs and glorious sparkle of color and life.

As a rule, to the layman who has given but little attention to art the literary or subject picture appeals at the first. He is attracted by the incident and by what he is pleased to call its "naturalness." It may lack all the essentials of good art, be deficient in draughtsmanship and of execrable color, and yet have the strong appeal of being "so natural." For men, alas!—average men, that is—do not observe with any degree of accuracy; and although they see the human figure every day and the landscape as well, they have little idea of the truths of either; they lack any sense of proportion. The same thing is manifest in the reporting of the most simple incidents of daily life, which are unconsciously misrepresented and facts ignored. And it must be the lack of inherent taste in the average American household that accounts for the wretched display in furnishing, in floor and wall coverings and pictures, that so often greets one. Yet there is an unfortunate moral cowardice that unhappily hampers our citizens. They will not frankly confess to a not unworthy ignorance of things artistic—an ignorance both excusable and quite natural. So many have been busy at other and more important things. The forefathers were occupied with the winning of a new land, with the upbuilding of a new Government, with solving economic problems, the most stupendous the world has ever known. So art quite naturally had but slight attention from them, and has not had until only recently with their descendants. It is only the pretension to understanding that is the stumbling-block, for the little knowledge is as dangerous in art as in other things. To be frankly humble, to confess ignorance and seek earnestly to gain some information, is to start intelligently in the quest of understanding. Art is long, but by serious study much may be learned regarding it. And, if serious study is out of the question, expert advice is always available. It is, after all, the painter whose judgment makes the reputation of the master, whose decision settles the reputation for all time. Nor dealer nor writer may prevail against his final decision. This is a fact to be remembered: it is the artist's estimate of his brother which counts.

It is the current belief that the artist is a poor business man. I maintain the reverse to be true. It may be evidence of his bad judgment that he should, at the outset, have chosen so unremunerative a profession; but that being admitted, note how many manage to extract some sort of a livelihood out of the most commercially difficult of all careers. It requires no special ability to sell a man a picture if he wants it. But when the man does not want it—and few do—what splendid commercial endowment it betokens to make him exchange good coin of the realm for the work—and this is the problem that most artists face. Yet somehow they live and make that living by occasionally disposing of the most unmarketable products that are known in business circles! And your artist, albeit poor, is, as a rule, at least honest, generous, kindly, and in a large measure disinterested. It is to his welfare to advance the cause of his profession too. He delights in seeing good art recognized and encouraged. He is unfeignedly glad at the sale of worthy canvases. He is invariably happy and ready to give advice to the layman interested in art, and this without money and without price. Some of the great masterpieces owned in America are here because of unconditional commissions given by wealthy amateurs to American painters temporarily abroad. Your American artist does not demand that the collector should confine his purchases to native work. Far from it. He does ask that he should have an equal chance with the foreigner, that his work should be judged on its intrinsic merits, that a great European name to a meaningless canvas should not count as against a serious artistic production by himself. He does not believe that, alive, he should be ignored, neglected, ridiculed, but that, dead, his lightest scrap should be venerated and bought at absurd prices while he was denied, when on earth, the bare necessities of existence. Within a few years there was sold at auction, for nearly three thousand dollars, a mere unsigned sketch by a prominent American, a memento presented to a brother painter, who in turn gave it to a dealer as an inducement to effect the sale of one of his own paintings that he disposed of for less than one-sixth the amount the sketch finally brought, a sketch to which he did not attach any importance, but which, his fame having been enhanced, became an object for the competition of the collector, who might have had it for a song during the artist's lifetime.

Among the men of reputation to-day, men whose standing is quite unquestioned, there are many whose advice may be had for the asking. These are men who know pictures too, whose business it is to know them, whose life study has fitted them to that end. Is a bridge to be built? Then is an engineer called in. If a musical instrument is to be purchased, what more valuable than the counsel of a musician, and when a deed is to be passed upon the services of a lawyer are called into requisition. But with a picture—ofttimes involving the expenditure of a modest fortune and not infrequently an immodest one—the otherwise astute business man depends upon his own judgment, scorning the one fitted by study, experience and natural ability to truly help him in the transaction with, alas! too frequently, the inevitable result. The disillusion is sure to come earlier or later, but invariably it comes. Sometimes the canvas is downright bad; often it is fraudulent. If the latter and the unscrupulous dealer refuses to refund, the heavy loss is pocketed in silence. It is humiliating to have one's asininity published broadcast in the daily press, and the buyer, disgusted with the effort, often retires from the pleasant and really profitable pastime of collecting. Or, if he fails to discover his error, hangs his picture on his walls and boasts of it, one hesitates to properly characterize the work, since no man is grateful for having doubt cast on his judgment. It is an awkward thing to criticise adversely a canvas in the home of either friend or stranger. So the owner becomes a laughing-stock for the visitor, and when, some day, his possessions come up at auction the true value is made publicly manifest, to the surprise, if not the grief, of his heirs.

But the ancients and the foreigners are not alone the objects of the counterfeiter's skill, for the American is likewise laid under tribute. The work of the great trio, Inness, Wyant and Martin, with Stuart and Copley at intervals, among the dead and gone, as well as some of the men still living, is being forged and finds purchasers. It has been intimated earlier in this paper that such imitations are not very difficult. Almost any well-equipped artist can make a reasonably good copy, while there are some painters with a special aptitude for copying, men quite incapable of fine original work, curiously enough. With such a craftsman, an unscrupulous dealer and a complacent patron, the conditions for the placing of a spurious canvas are

ideal. Yet the studios are full of young men pursuing their profession with enthusiasm, turning out annually attractive, handsome canvases that will fetch some day enormous prices, but which for the present are unrecognized, go begging for patrons, and are turned to the wall in sheer desperation. There are men of ability, and even position, in the art-world, whose yearly incomes are pitiful, less than that of the artisan, men who, despite their admirable work, have the greatest difficulty in disposing of their output.

We have annual picture-shows of surpassing excellence throughout the country — those of the Pennsylvania Academy at Philadelphia, the Carnegie Institution in Pittsburg, the Ten Americans in New York—not to mention the Academy of Design, the Buffalo Academy of Fine Arts and the Worcester Museum in Massachusetts, with others such as that last year at the Corcoran Art Gallery, in Washington. These exhibitions of modern art not only reflect the greatest credit on native art, but in sober truth are not excelled anywhere in the world. But of the sales thereat? Ah, the pity of it! They are discouragingly small, so infrequent as to make the artists hesitate about exhibiting at all, for there are broken frames to be considered, often trouble and expense. Indeed, the man who gains even a respectable livelihood by disposing of easel alone pictures is a rarity. He teaches, illustrates, designs, does all sorts of odds and ends of work to make both ends meet. Why this apathy toward American paintings on the part of the American public? What is the remedy? Both questions are difficult to answer, the latter particularly so.

In France, England and Germany they are loyal to their painters. We Americans—perhaps because we are such a mixed race and so preoccupied with the material side of affairs—are much less so. While the native does not demand patronage on the score of patriotism he does ask at least, all things being equal, that he shall have a living chance with his foreign competitor. An indifferent example by a European is not as worthy as a good work by an American. This, of course, is obvious, but not always recognized. They put a tariff on European art—quite against the desires of the American painter; but they insist on buying the canvases of the foreigner, duty and all, to the neglect of better men on this side of the water. Merchants who

maintain stoutly the excellence of their own native goods, as soon as they make their fortunes, rush blindly to the purchase of foreign pictures. It is admitted that, as a rule, the prophet is without honor in his own country, but it is surely a stupid rule, better in the breach than in the observance. I have said elsewhere that it were well for the collector to meet the painter and cultivate his society, to frequent his studio and see his work under way. Generally the artist is a man well equipped mentally. He may suggest at times a certain overconfidence; but, after all, it is a pardonable weakness, due possibly to the necessary concentration in his work. It may be recalled that the first important, as well as the greatest general, sale of American work — the Thomas B. Clarke collection — disclosed a notable gathering of pictures that was the result in almost every case of purchase direct from the artist. There was scarce a picture that was not thus acquired with no little satisfaction both to the owner and the painter. Happily and for this reason there came up no disturbing question of originality, while as a cold, commercial proposition the result showed a handsome profit.

After all, pictures are not such an extravagant luxury. If one buys with discretion, if one will exercise a little foresight or seek competent advice, excellent canvases may be had for very modest sums, and a commendable work on the wall does much to beautify the home, adds largely to the decoration of the house and evinces taste on the part of the occupant. A little economy here, some self-denial now and then, and the sum is readily available. If not oil-paintings, the water-color is at least possible, or the etching—anything rather than the deadly commonplaces that, as a rule, encumber wall space. But to buy of the artist alive and among us, to acquire a wholesome pictorial representation of one's own country painted by a contemporary, to encourage and foster talent at our doors and thus help thoroughly to establish our own painters who are laboring sincerely, who have to-day, despite disheartening conditions, advanced the cause of art and reflected credit on their race, all this is at least worthy of serious consideration and reflection.

ARTHUR HOEBER.

THE RELIGIO-MEDICAL MOVEMENTS.

BY ALLAN McLANE HAMILTON.

THE rocky soil of New England has always in one way been fertile, in its capacity to bring forth new and more or less fantastic religions. With a utilitarian purpose, their sponsors have professed to provide material aid for the body as well as spiritual help for the soul, and in one or two instances social attractions have been added to the mixture.

The ceaseless mental activity so characteristic of the people of that part of the country, and which seemingly cannot secure sufficient exercise in the ordinary affairs of life, finds a convenient outlet in the study of metaphysics and occultism and all that goes with them. Among the scholarly, the celebrated Concord School of Philosophy became for a time an important feature of this restless intellectual life, while many of the less intelligent but equally active have prated learnedly of hypnotism, electro-biology, telepathy, spiritism, the influence of the mind over the body, unconscious cerebration, the dual ego and similar things—*ad infinitum*.

For many decades, the learned and conservative physicians of that locality, than whom there are none better, have had their time occupied in exploding popular delusions, fighting quacks and repairing damages, but there is always something in the air responsible for the perpetual agitation in regard to these things. There, as elsewhere, the churches have admittedly been losing control of the community. The stiff high-backed and very hard wooden pews, the cheerless frost-glass windows, the somnolent double bass and buzzing tuning-fork of other days, have been superseded by seats with the softest of cushions; while the worshippers have been flooded with light from the most beautiful of stained glass, and treated to music from the throats of highly

paid *cantatrices*. In spite of these concessions to the demands of æsthetic taste, the attendance has waned and disaster has appeared imminent.

While this is attributable to well-known causes, much of it, in Boston at least, is due to the rivalry of an important and powerful body of seceders, known as Christian Scientists, whose managers have provided an agreeable religion, not only free from Calvinism, but full of attractive diversions to be indulged in without much mental fatigue and a diminution in doctors' bills.

The rapid increase in the Christian Science church is remarkable indeed. In Boston alone, in June, 1904, the total membership was 13,534, and in 1907, 43,876.

No wonder that consternation existed among all those who felt the opposition of this powerful sect, and no wonder that they looked about for some new species of attraction. Free baths, free lectures and other recreation did not seem to invite the stray sheep back to the fold, so, with the help of a few Boston physicians of a metaphysical and experimental turn of mind, it was determined to make a new departure and to combine medicine with religion; hence the establishment of "The Emmanuel Movement," which is called after the church of that name.

According to its protagonist, the Rev. Mr. Worcester, its mission is to treat what he calls "functional diseases," as distinguished from organic diseases; but it would appear that the ideas of the Doctor and his followers are somewhat hazy as to what head the disorders of his patients fall under. In the beginning it was announced that certain physicians, who were supposed to approve of the movement, were to pass judgment upon the suitability of cases for this special treatment, but there seems to be much confusion about even this. In a popular periodical for women appears an article from the pen of Dr. Worcester, in which he enumerates the diseases that have been treated by himself and his friends. Among these are Arterio-Sclerosis, a gradual and permanent hardening of the arteries; Dementia Præcox, a chronic degenerative form of insanity; Exophthalmic Goitre, a disease of the thyroid gland; Hemiplegia, a one-sided paralysis, usually due to a brain lesion; Locomotor Ataxia, a disease of the posterior columns of the spinal cord; and "Kidney Affection"

(whatever that may mean), usually an inflammation of the kidney itself; Manic Depressive Insanity, a chronic psychosis due to defects in heredity; Osteo-arthritis, in reality a rheumatic joint affection, but in Boston a disease of plaintiffs who use it to mulct the railroads for alleged personal injuries; Paranoia, an incurable insanity due to a congenital defect; Polio-myelitis, a deep-seated organic disease of the spinal cord attended with degeneration of the trophic cells, believed to be due to endemic poison; Lateral Sclerosis, a distinctively destructive condition of the cord; and Tumor! . . .

Could anything be more preposterous than this? The leaders of this movement must be unpardonably ignorant, and if their medical advisers are parties to such claims, which I can hardly believe because of their reputation, they should be taken to task by their regular Medical Societies, if cures are promised through any psychic treatment.

Besides these well-known affections, a number of other disorders have been treated, most of which offer little encouragement to the clerical practitioner, although the influence of suggestion and persuasion in selected cases, if used by qualified medical men, may be of some avail.

While the claims of the Christian Scientist are hardly more extravagant than those of the Emmanuelist, the faults of the former are chiefly sins of omission, and such evil results as occur are, as a rule, due to the neglect of some fanatical believer. Christian Science is intermingled religious belief and therapy of the mildest and most innocuous kind. In fact, its ethical teachings are to be commended, for they are directed to cultivate unselfishness, self-reliance and a certain amount of altruism. If we are right, the *motif* of the Emmanuel Movement, on the other hand, simply consists in the fact that there are a certain number of clergymen who become amateur doctors, their particular religion not forming the basis for any therapeutic plan, and they meddle with things of which they naturally know but little and injure themselves in their own calling at the same time. It is stated by them, however, that, after they have accomplished their psychic cure, they fill the mind of the patient with "beautiful thoughts"; to this extent they resume the pastoral rôle. Like the Christian Scientists, they are said to cultivate cheerfulness and to provide recreation. However, this

is nothing more than is done in England and elsewhere by those who have gatherings at the Church Houses and who are not "healers"; and, though it is a practice in every way commendable, it is but a routine feature of religious work.

The pertinent difference between the two sects is that the treatment used by the Emmanuelists is in a measure exceedingly pernicious and dangerous in unskilled hands, and this refers especially to the utilization of hypnotism and suggestion. In this connection attention may be called to the activity of the medical coadjutors of Dr. Worcester, who have in this country been active with others in the investigations in that field of abnormal psychology which has been exploited by Janét, Richét, Forel, Bleuler, Jung, Freud and others. The trend of this work has led to the investigation of very many curious mental states, and the capacity of individuals to respond to association tests—that is, to measures used to determine the activity of ideation, the relation of concepts to others and the emotional coloring attached thereto. In fact, many mental problems that up to a few years ago were very vaguely understood are now in a measure determined by instruments of precision, and by certain word tests; but we are far from safe ground in the confident application of any of these things to the treatment of disease. We, however, know that there are a large number of unstable individuals, usually with hereditary defects, who are known as "psychopaths." The mental make-up of all of them is unsound; their very development is defective; they are emotional and intellectually eccentric, and those who are seen by physicians, should their cases be bad enough, are sent to asylums. Some are criminal, some drunkards and many manifest evidences of deep-rooted moral degeneration. They constitute the "unfit," and they are as likely as not to seek the Emmanuelist. Should they develop organic disease, there is little doubt that their make-up would in a way influence the manifestation of special symptoms, but it is doubtful if any amelioration of such idiosyncrasies would really affect the serious underlying morbid processes. Some of them are influenced to a degree by hypnotism; others by suggestion or persuasion, and it is the experience of those best informed that any change wrought by what is known as psychotherapy is a comparatively temporary one. When, therefore, we find it claimed that a patient with Manic-depressive insanity was practically cured while

in attendance at a church meeting, we know that such a cure could not last, although there may be a remission that might follow any other equally potent non-religious impression, though even this is doubtful.

Just now the entire country seems to be in a state of erethism which leads it to adopt any new and dramatic therapeutic movement, no matter how illogical. The crowd is always liable to respond to appeals to subjective weaknesses, especially to that which has done the most in the way of emotional stimulation, and which appeals in a minimum degree to the proper exercise of healthy judgment. In regard to the present agitation, Dr. C. K. Mills says: "A wave of increasing interest in psychic medicine appears to be passing over our country; an old, old story being repeated by new *raconteurs;* an old, old subject is presented in a garb not entirely new, but with new trimmings and adornments."* Professor William James, the patron of Mrs. Piper, becoming enthusiastic, sententiously says that it is analogous to the spread of "early Christianity, Buddhism and Mohammedanism." While it cannot justly be dignified in this way, we certainly are again passing through a quasi-religious epidemic which is largely fostered by that sort of credulous misrepresentation which has at all times been inseparable from false teaching and unscientific practice. In this connection attention may be called to what is almost an exhibition of moral obliquity, and which consists in deliberate falsification, morbid hallucinations of memory and other forms of misinterpretation indulged in by otherwise honorable and decent people, who wilfully exaggerate when they describe their own condition, and who are always in evidence at such times.

The leaders of the Emmanuelist movement evidently aim at symptomatic treatment, although they do not balk, as has been shown, at structural disease. Pain, insomnia and other like conditions seem to be their therapeutical objects; but it is evident that they are not aware that such symptoms are often due to a variety of morbid processes of the most diverse character, which only yield to specific remedies or to the knife of the surgeon.

The object of the Emmanuelist is the cure of disease by hypnotism, suggestion without hypnosis; or by the use of educational or reasoning methods. It is easily seen how disreputable a meth-

* "Monthly Cyclopædia Medical Bulletin," July, 1908.

od this may become in the hands of designing persons, or how the Emmanuelist may unconsciously play into the hands of a scheming doctor of quackish methods, who may "prepare" the patient for the ministrations of the clergyman, making the excuse that he is not quite ready for the clerical treatment proper —until he has extracted a fat fee.

All writers upon Psychiatry are united in the belief that hypnotism is harmful if not dangerous in the hands of unexperienced persons, not only by inducing an instability which makes the subject susceptible to the slightest suggestive influence, but by causing new disease.

Regis, in speaking of the influence of suggestion in mental disease, says: "Its action on the psychoses is much more questionable *a priori*. It is logical to think that an agent of this kind, capable of modifying the ideas, the feelings, and even the personality of an individual, might be able to construct what he has undone—that is, to call back the ideas to their normal condition, and the feelings and personality to the one who has lost them. Unfortunately experience has given only a negative answer up to the present, at least in the majority of cases." De Fursac says: "Constitutional psychopaths derive but little benefit from hypnotism."

Kirchhoff says: "Although favorable results from the employment of hypnosis in the treatment of psychical affections have been reported, the condition is still so obscure that we cannot yet recommend it to the practical physician."

Every one who has watched the use of hypnotism and suggestion, especially in America, will find nothing new in the claims of the Emmanuelists. In fact, since the communication of Mesmer to the French Academy in 1775, it has been the resource of charlatans and itinerant dentists, and has been utilized in many ways for proper as well as disreputable purposes.*

Passing over its early history in this country, which goes back to the first quarter of the last century, we find that it was advocated in 1845 by Miss Harriet Martineau, who, in association with a hypnotic practitioner named Spencer Hall, employed it in a variety of diseases, and in her "Letters on Mesmerism"†

* It should be unnecessary to refer to its very ancient origin or to its production by crystal-gazing among the Egyptians.

† "Letters on Mesmerism." Harper & Brothers, 1845, p. 27.

relates her own experience as an invalid. She says: "The principle of life itself, that principle which is antagonistic to disease, appears to be fortified by the mesmeric influence, and thus far we may account for the mesmerism being not specific, but successful through the widest range of diseases that are not hereditary or have been caused by disorganization. No mistake about mesmerism is more prevalent than the supposition that it can avail only in nervous diseases." Here we find the possible inspiration of the Emmanuelists. From time to time it has been investigated by various physicians and, for adequate reasons, has been abandoned. Dr. C. K. Mills, the able Philadelphia neurologist, discarded it twenty-seven years ago, and says: "There is not only little to be gained of permanent value by its use, but it may be the means of doing no inconsiderable harm, although, in proper hands, it has a field of usefulness. At the best, however, hypnotism is only a method of making a life altogether intolerable a little more tolerable. . . . The temporary ailments or conditions are relieved, but the degeneracy and neuropathy remain."

My own observation has made me fully aware of the dangers of its indiscriminate use, especially when psychopathic individuals are the subject of control. This is particularly true in regard to the callow persons who assist in public exhibitions. Several of these individuals who have followed professional mesmerists from one part of the country to another have been under my charge, and certainly they have shown the dangers of repeated inductions of hypnosis. That this proceeding is responsible for the production of hystero-epilepsy is a fact, and there are many mild psychoses which have become aggravated, often ending in incurable psychasthenias.*

It is often the object of the hypnotist to induce negative hallucinations for the purpose of assuring the patient that he has no disease, but the induction of such distraction is merely temporary, and, as a rule, the patient again appreciates his condition when consciousness is fully restored. It requires more than the efforts of the amateur hypnotist to keep up any protracted delusion of this kind, and he certainly is not able to select the cases where his ministrations are required.

* Although I publicly advocated its use *by physicians* many years ago I have not employed it since 1895, except for diagnostic purposes.

Perhaps one of the greatest dangers in hypnotic treatment by amateurs is the effect upon the sexual nature of the subject.

Nowadays, except for experimental purposes, physicians are loath to use hypnotism, unless perfect safeguards be employed. The sexual instability of certain neurotic women is such that, if this dangerous weapon is placed in the hands of the inexperienced or unworthy, all manner of dreadful possibilities are presented, and the Emmanuelists will be lucky if they escape the lawsuits which are so often brought against the dentists, for example, by the immoral or hysterical. The same statement applies to confessions by psychopathic females, who are more or less irresponsible by reason of an artificially altered ego.

To those of us who have studied the well-known cases reported by Charcot and his followers at La Salpêtrière, there is something that is almost uncanny, and much that is repulsive, about the mixture of religious and sexual symptoms shown by these persons when hypnotized, and such a dangerous method of operation should not be trusted to any non-medical tyro on any pretext whatever. This statement may appear strong, but it is a legitimate warning. When one of the high priests of Emmanuelism, Dr. McComb, is said to have stated in the Trinity Church parish house in Buffalo that ninety per cent. of the people can be hypnotized, it is reasonable to suppose that the reverend gentleman had had experience. Dr. James W. Putnam of that city, a physician of years of experience, is said to have replied: "If ninety per cent. of the people can be hypnotized, then I would say ninety per cent. of the people should never be hypnotized."

The writer is familiar with numerous cases where serious results followed hypnotic suggestion in those of the insane temperament, the underlying condition being such as to escape the notice of the ordinary person. One of these was a young man in a Southern State, who had, in an amateur way, studied hypnotic phenomena, and who entertained the delusion that his local physician was seeking to compass his ruin by attempts at hypnotism. In a short time, he developed an active form of delusional insanity, leaving his home and hiding himself lest he should be subjected to the imaginary far-reaching influence of his physician. He came to New York to consult me and, in spite of all advice, his conduct remained the same, and he returned for the

purpose of shooting the doctor and destroying his machinations. He was subsequently sent to an asylum, where he now is.

The indiscriminate use of hypnotism and the spread of an epidemic among the *déséquilibres,* the name by which the neurasthenics among the hereditarily predisposed are known, is likely to be followed by actual mental disorder. Every popular religious movement is known to be attended by an increased number of admissions to the asylums, and every physician is familiar with the disorderly acts of those who have undergone religious exaltation or depression, or who have been subjected to any "insult" to their unstable organizations. The older English writers described "medio-mania," which was the psychosis developing among the followers of spiritualism and other cults, and the disease known as *dementia præcox* is a likely sequence of such a cause. The use of suggestion without hypnosis, and reasoning methods, while less injurious, may, in good hands, effect a certain amelioration in a limited number of individuals.

Dubois, whose book is popular, has been successful with patients where there is no very strong neuropathic predisposition, although I have had under my care a curious case of *dementia præcox,* who, though better for a time, later became the inmate of an asylum, and, while full of picturesque delusions, detailed to me the methods employed by Dubois in her case at the time she was with him in Europe and was supposed to be cured.

In all this agitation it would almost appear as if the intelligent physician had never made any use of psychotherapy, but that he was a mechanical giver of drugs and took little or no interest in his patients. On the contrary, the well-equipped medical man is alive to every exigency, and if the new critics of the regular medical profession, who have been so active of late, would take the trouble to investigate, they would find among the many great and successful men of all times, and of to-day, that the human side is very strongly developed, and that their patients are studied from every point of view and treated accordingly. As Mills says: "This is not a new plan of curing or attempting to cure the sick. It has existed wherever good physicians have used their mental powers for their fellows. The doctor of the town or of the cross-roads is one well fitted for his vocation and has successfully exercised this art of persuasion, as he has also that of appealing to blind faith." It is probable that this, as

well as other fads and illegitimate forms of treatment, would not get a following were it not for the yearning for the novel and the mysterious, and again because of the ignorance and the want of care of a comparatively small number of regular physicians, whose mistakes are quickly taken advantage of by the vast horde of irregular and sensational practitioners.

When it is found necessary to abandon an appeal to reason, and the reconciliation of religion and science, and to rely upon the undue stimulation of the emotions as the means of holding religious bodies together, something must be wrong, for this is the basis of all erratic religions and the starting-point of every religious epidemic. If new movements are necessary, why should they not be in another direction and carried on in a way for which the clergyman is better equipped—say, in the cultivation of altruistic development? The example of the Buddhist priests, who teach their followers civic pride, and who direct the energy of the community in ways which conduce to the good of all, is far preferable to the adoption of these most questionable practices. Meanwhile, by the disloyal and thoughtless ones the old family physician is neglected and forgotten. It is he who has brought the children and grandchildren into the world, and whose timely and sensible advice has for years averted impending trouble, united divided families and prevented disgrace. His faithful watchfulness and alertness have warded off the incursions of disease from without, and, finally, the inevitable exit has through his ministrations been a painless and happy one. This does not seem to count in these unquiet days. The dramatic adjurations and reiterations of the peripatetic doctor-cleric have far more influence with some than his conservative and simple methods, which, however, always win in the end. Obsessed by the emphatic assurances of the mind-healers, they declare with Mr. Dooley: "I belave anything at all if ye tell it to me aften enough." "Repetition," says Davenport, "is one of the surest means of getting an idea firmly into the mind of a crowd, as well as of the child or of the savage."*

ALLAN MCLANE HAMILTON.

* "Primitive Traits in Religious Revivals." New York: Macmillan, 1906, p. 29.

THE RULES OF THE HOUSE OF REPRESENTATIVES.

BY A. P. GARDNER.

RIGHTLY or wrongly, the idea has gone abroad in the United States that legislation, so far as the House of Representatives is concerned, is left entirely in the hands of the Speaker. While many people may not adopt this extreme view, there is at all events a well-defined impression that the order of business is so much in the Speaker's hands that it is an easy matter for him, when he so desires, to smother important measures or leave them pending on the calendar at the expiration of a Congress.

Of those who defend the present Rules of the House, some deny absolutely that the Speaker possesses any such autocratic power, and others, while admitting its existence, maintain that it is just and right that the chosen representative of the majority party should be clothed with it.

Obviously, these two contradictory positions cannot be disposed of in the same breath. The first step must be to establish the facts. Before making up his mind on this question, the average man desires a clear showing as to whether or not the Speaker does in fact possess such transcendent authority, and, if so, he asks for an exposition of the customs or rules which accord it to him. In explaining the situation to the layman, it is needless to trace the course of a bill through all its stages, but a clear understanding is impossible unless four cardinal principles are thoroughly grasped. The seeker for the truth must know and understand, first, how a bill gets before a Committee; second, how a bill gets out of Committee; third, how a bill reported by a Committee gets before the House for consideration and action; and, fourth, the function that parliamentary "privilege" performs in determining the order of business of the House.

Any member may introduce a bill or resolution. This is done by placing it in the basket on the Clerk's desk, from which it must be taken immediately and referred to the appropriate Committee. If that Committee so desire, the matter may remain undisturbed, without receiving the slightest consideration, until the expiration of the Congress. An exception to this rule is made in the case of Resolutions of Inquiry addressed to the heads of executive departments. Such resolutions must be reported back to the House from Committee within one week, or else they become privileged under the Rules.

An exact definition of the parliamentary meaning of the word "privilege" cannot easily be given. It is sufficient, however, to bear in mind that the Rules or the customs of the House accord this quality to certain specified classes of questions, and that matters so endowed take precedence of everything else except other business with which Rule or custom invests an equal or higher privilege.

When any question is privileged for consideration, it may be called before the House for action at any time. Every other matter must give way, except such as are equally or more highly favored. It must be borne in mind, however, that only a very small percentage of the bills introduced are entitled to precedence of any sort. In fact, most of the important bills of general public interest are entirely unprivileged under the present Rules.

Further on in this article the practical effect of privileged questions will be shown.

Returning to the history of the progress of an unprivileged measure, let us suppose that the bill or resolution which has been introduced and referred to a Committee is of such merit or importance that it cannot summarily be relegated to oblivion. On the contrary, perhaps, it is carefully considered by the Committee and then reported favorably to the House. In that case, it goes on to the calendar of matters awaiting action and takes its place with other reported measures listed in the order in which they have come back from the various Committees. There it awaits its turn for consideration, if, by any chance, this turn should ever arrive before the expiration of the Congress.

Under the Rules, the sixth and seventh order of business for each day provides a time when Committees, and in some cases individuals, may call reported bills off the calendar for discussion

and action by the House. Perhaps it might seem as if this arrangement of the order of business should give ample opportunity for a determined Committee sooner or later to bring any bill on the calendar before the House for action. No matter how contentious in its nature it might be, no matter how badly placed on the list and no matter how little it might appeal to the Speaker or his Committee on Rules, at first sight it would seem as if any reported measure could be reached. Such is not the case, however. As a matter of fact, every day is so taken up with other affairs that the sixth order of business is scarcely ever touched, except occasionally at the beginning of a session of Congress. Until this present session, many years have elapsed since the seventh order of business was ever reached at all, except in one sole instance when a short time was devoted to a comparatively unimportant bill.

Under these circumstances, it is very easy to see that an unprivileged bill, reported back from a Committee after Congress is once well under way, is certain to be placed so far down on the calendar as to make it impossible to reach it unless special means are provided either by the Speaker or by the Committee on Rules. In the nature of things, every highly contentious measure is sure to have enemies on the Committee to which it is referred. It is by no means difficult, even for a single determined committeeman, by calling for hearings or by other legitimate demands for delay, to postpone a report on any bill until a time so far advanced in the session that its place on the calendar is bound to be a very poor one.

A question naturally arises in the public mind as to what manner of business it is which so takes up the time of the House that it is impossible to reach important reports resting on the calendar awaiting recognition. "Why is it," asks the average man, "that the sixth order of business is, with very rare exceptions, only reached at the beginning of each session?" The answer is found in the fact that the daily meetings of the House are taken up by routine business, by the consideration of conference reports relative to differences between the House and the Senate, and by the endless discussion, germane or not germane, of the thirteen or more different appropriation bills which must be passed in every session. From time to time, moreover, Special Orders or Rules are reported from the Committee on Rules providing

for action on measures which meet with its approval. Generally these Rules are so worded as to afford but limited debate on the bills in question and little, if any, opportunity is given for substantial amendment. In addition to the varieties of business just enumerated, a limited number of days in each month are devoted to the affairs of the District of Columbia, to private matters such as pension bills and claims, and to the passage under Suspension of the Rules of certain bills previously approved by the Speaker.

It is now necessary to note the part played by so-called privileged measures in obstructing the path of other important legislation. The rules provide that certain bills shall enjoy especial privilege, which, as has been shown, means that they may be brought up for consideration at any time in or out of their regular turn. The most important classes of measures to which this privilege is accorded are appropriation bills and revenue bills. It is evident, therefore, that as soon as the first appropriation bill of the session is reported out of the Committee it may at once be brought before the House for consideration, and the time very readily may be spun out in debate and amendment until another appropriation bill is ready to take its place. After a session is well under way, it is usually the case that there are at least two appropriation bills ready to report or awaiting action at the same time, so that the opportunity of reaching bills to which privilege is not given becomes absolutely visionary, unless the Committee on Rules or the Speaker lends a hand.

It sometimes happens, as was the case at the end of the first session of the last Congress, that all appropriation bills have passed the House and yet time remains for further work. Obviously, this would seem to be an opportune moment to go to the calendar and call up for consideration some measure of importance patiently awaiting the action of the House. On the occasion alluded to, however, there was found on the calendar a convenient bill which in some way affected the raising of revenue and was therefore entitled to the highest privilege. To be sure, it only referred to the consolidation of a few small custom-houses, but that was enough to give it precedence; so it was called up and the few hours of the session remaining were exhausted in its nominal consideration. Yet there does not seem to have been any effort made to pass that bill either then or since.

Often, of course, there are to be found in disadvantageous positions on the calendar certain unprivileged measures which the Speaker himself believes that the House ought to consider. Just as is the case with similarly placed bills of which he disapproves, they cannot be reached under the regular Rules. Sometimes such bills are passed under Suspension of the Rules; but often it is easy to foresee that the two-thirds vote necessary for Suspension cannot be obtained. When a situation of this kind arises, recourse is usually had to the Committee on Rules, which reports a Special Order or Rule providing for the prompt consideration of the measure desired. Frequently, as has been pointed out, these Special Orders are so narrowly drawn as to permit but little debate and practically no amendment. A case in point, which shows the one-sidedness of this system, occurred towards the end of the session in 1906. The Immigration Bill could not be reached in the ordinary course of business. It was a long and complicated measure consisting of forty-one sections, and should have been allowed full discussion with ample opportunity for amendment. The Committee on Rules, however, brought in a Special Rule providing for its immediate consideration, permitting no debate at all on thirty-nine of its sections and permitting no amendment except to two of them. Moreover, the Order was so drawn that a separate Yea and Nay vote could not be had on any of the bill's important features.

No one denies the extreme difficulty of reaching any measure to which the Speaker is opposed; but in a recent publication Mr. Asher C. Hinds, the parliamentarian of the House of Representatives, maintains that, though difficult, it is possible to do so. He points out the fact that it is always possible for a majority to vote down the question of consideration of appropriation bills, and then to vote down the consideration of all intermediate business until the desired bill is reached. He calls attention to the fact that this step has been successfully undertaken in the past and, indeed, such is the case; but, so far as a fairly exhaustive search shows, the last time such a thing occurred was over a decade ago. The occurrence took place during the contest over the Hawaiian Bill. It is true that Mr. Speaker Reed was opposed to that measure, and it is true that in spite of his opposition it was brought up before the House; but a consultation of the records at once reveals the fact that neither he

nor his appointees, the Committee on Rules, by any means attempted to exhaust the parliamentary means at their disposal to stave off the undesired consideration of the bill. At most, so ancient an exception only proves the rule.

But the procedure suggested by Mr. Hinds is not practicable. No matter how anxious members may be to reach a given bill of public importance, they will hesitate a long time before taking the serious step of refusing to consider one of the great supply bills of the Government. Even if they brought themselves to take this drastic course, it is more than likely that some other important bills would intervene before the one which they sought could be reached. To vote against the consideration of a meritorious bill, even for the purpose of reaching a highly important measure, would put them on the defensive before their constituents. The situation would require continual explanation before it could be understood, and their action would be misrepresented and misconstrued. Moreover, many a member who represents a district which is politically close likes nothing better than an opportunity to substitute a non-contentious bill for a contentious one. When occasion serves, such a man usually can be counted on to vote for the consideration of an appropriation bill, if by so doing he can indefinitely postpone a bill on which his constituents disagree.

Even if it were true, as maintained by Mr. Hinds, that a majority of the House of Representatives can at any time reach any bill on the calendar by voting down the consideration of intervening bills, nevertheless that by no means proves his case. It is an absurdity to say that the proper way to test the House as to its desire for the consideration of a given measure is by taking a vote on the question of consideration of some other measure or series of other measures. The proper way to defeat a bill is by a majority vote on the bill itself and not by a majority vote on some other bill.

That a majority of the House sometimes wishes to avoid meeting disagreeable questions, and therefore desires to conceal its attitude from its constituents by voting to consider other legislation, is perhaps true and is certainly most natural. It is, nevertheless, extremely doubtful whether the rules should be so drawn as to aid members in their efforts towards evasion. Men are not sent to Washington to conceal their attitude on public questions,

but to reveal them when the proper time comes. They are not in Congress to act as individuals, but rather as representatives. It ought to be beyond dispute that if any considerable part of the people of the United States desires the enactment of a measure, such measure is at least entitled to its public day in court, and its consideration should not be denied merely because Congressmen may be timorous as to their individual futures.

Yet there can be no manner of doubt that the suppression of many a bill is due rather to the timidity of Congressmen than to any rooted objection on the part of the Speaker. He, to be sure, shoulders all the blame, as indeed he should, for on him rests the responsibility of decision. Nevertheless, it is an open secret that many a member who favors a measure and, if necessary, would vote for it, privately expresses to the Speaker his hope that it will not be brought up for action. Two cases in point are the Immigration Bill of 1906 and the Littlefield Bill relative to the transportation of liquor. Many a member was well aware that he would offend constituents, no matter which way he voted on those measures.

With the exception of the Committee on Rules, most of the Committees of the House are large, being composed of from fifteen to eighteen members or thereabouts. The Committee on Rules, however, consists of but five members, of which the Speaker is one. The other four places are equally divided between the two parties; but it has always been the custom for the three representatives of the majority to act as a unit. It has generally been held that the large Committees represent in a rough fashion the sentiment of the House, whereas the Committee on Rules has usually been supposed to reflect the views of the Speaker and to act at his suggestion.

Inasmuch as the members of all Committees are appointed by the Speaker, obviously there is lodged in his hands a great power of control, not only over the action of Committees, but also over the individual action of members of the House. This fact has of late years given rise to a feeling that the time has come to make a beginning looking towards the divorce of the legislative from the judicial power of the Speaker; in other words, towards divesting him of all indirect means for controlling legislation, leaving in his hands only the same power which is wielded by the Speaker of the House of Commons in

Great Britain. As every one knows, the Speaker of the House of Commons is purely a presiding officer; his decisions are not in the least guided by party considerations, nor does he have any extraneous power which enables him to direct legislation.

To deny to the Speaker of the House of Representatives the power of appointing Committees, for that is the necessary meaning of such a proposition as has just been suggested, would be in accordance with the practice prevailing in European parliamentary bodies. With the exception of the Bundesrath, the Upper House of the German Parliament, and with the possible exception of the Parliaments of Russia and Turkey, all representative chambers in Europe either directly or indirectly select their own Committees. The military and marine Committees of the Bundesrath are nominated by the Emperor, while in Russia and Turkey parliamentary practice is so much in its infancy that no positive statement regarding them can be made.

Among the many necessary reforms in the Rules of the House of Representatives, there is one which stands out as pre-eminent. An ample and definite time should be set apart for action on important measures, not at present classed as privileged, whether they meet with the approval of the Speaker or not. Any schedule of reform which does not include such a provision is visionary and destined to failure in practice.

Although no one has as yet suggested that the right to criticise and the right to defeat a measure should be taken away from ordinary Congressmen, yet many people honestly believe that the chief function of a member should be to serve as a component part of a sort of electoral college for the choice of Speaker, that the Speaker so chosen should appoint a small Committee on Rules and with them should lay out at the beginning of each session the whole programme of legislation to be enacted. Persons possessed of such views are fond of referring to the example of the House of Commons, over which unquestionably the Treasury Bench has complete power. The British Ministry is clothed with the entire responsibility of selecting at each session the measures which are to pass, as well as the measures which are not to be considered. It is often forgotten, however, that the Treasury Bench or Ministry, as it is officially termed, must at all times and in all respects satisfy a majority of the chamber or else resign. With resignation always suspended overhead like the

sword of Damocles, it is obvious that no efforts will be spared to satisfy the members who constitute the majority.

In contrast to the situation of the Treasury Bench, the Committee on Rules of the House of Representatives is not obliged on penalty of resignation to satisfy the majority on each occasion, nor is it in any way responsible to the House except indirectly once in every two years. Even then, it is responsible only in a secondary degree, inasmuch as the House does not name the members of this Committee, but merely selects a Speaker who may or may not reappoint them.

It is often forgotten that the Ministry of Great Britain is responsible to Parliament for measures which it fails to include in its legislative list nearly as distinctly as for measures which it brings forward. At the beginning of each session, proceedings are introduced by the King's Speech, which is supposed to foreshadow the programme of the Ministry. If this programme omits to make mention of some measure which the Commons think should properly be included, an attempt is made to include it by an amendment to the address of the House in reply. In case a substantial amendment is adopted, the Ministry must resign; and, in fact, one of Lord Salisbury's Ministries fell on precisely such an occasion. Since that time, no Ministry has been bold enough to omit from its programme a question which the people at large earnestly desire to have considered. If by chance it should do so, every session presents available opportunities for the House of Commons to cause the Ministry's fall by the expression of its resentment.

The United States is entering on a critical period in its legislative history. The next decade will decide the drift of affairs. Either the National House must once more become a deliberative body in the sense in which that term has been used in the past, or else the people of this country must decide between two alternatives. They may leave the power in the Speaker's hands, where it is at present, or they may destroy representative government by adopting the system of Initiative and Referendum.

A. P. GARDNER.

THE BANKING AND CURRENCY PROBLEM IN THE UNITED STATES.

BY M. W. HAZELTINE.

It will be recalled that the Aldrich-Vreeland Law was passed May 30th, 1908, as a temporary measure of protection against severe money stringencies, or panics, that might occur prior to the enactment of a permanent measure pursuant to the recommendations of the National Monetary Commission. So far as is known, the Commission has not yet arrived at an agreement concerning the measure which it will commend as a permanent safeguard against money stringencies or panics. The question, therefore, is yet *sub judice,* and it is, obviously, of great importance that the question should receive the utmost illumination possible. We do not hesitate to say that nothing has yet been forthcoming on the subject which, for a moment, can be compared, as regards breadth of knowledge and depth of insight, with the treatise or essay by Mr. Victor Morawetz, which he entitles "The Banking and Currency Problem in the United States."* The author of this dissertation undertakes to show what answers to the question propounded must be rejected, on account either of their intrinsic unsoundness, or of their unacceptability, in view of the historical and political conditions of the United States. We consider it of great moment to the country that, at this juncture, the premises and deductions set forth by Mr. Morawetz should receive wide publicity, and we purpose here to indicate, first, the many proposed solutions of the problem which, for one reason or another, should, in his judgment, be brushed aside, and, secondly, the one solution which, he thinks, should be adopted by Congress.

* "The Banking and Currency Problem in the United States." By Victor Morawetz. Post 8vo. New York: Harper & Brothers.

I.

What, precisely, is the problem to be solved? Let us hear Mr. Morawetz define it. We need not recall that, recently, we have emerged from a disastrous panic which forced the suspension of nearly all the banks, and, by the destruction of confidence and credit, arrested business activity throughout the country and caused vast losses to the people. The anomalous feature of this panic was that it was not produced by an industrial crisis, in which supply of industrial products had come greatly to exceed the demand. On the contrary, the panic of October, 1907, brought to a violent close a period of unprecedented prosperity, in which manufacturers and merchants had *not* unduly expanded their obligations for the purpose of carrying unsold stocks of goods. Far from that being the case, it is notorious that production and transportation had been barely able—and in some lines had been quite unable—to keep pace with demand for the products of industry.

Mr. Morawetz points out that such extraordinary financial disturbances do not occur in other civilized countries. That such a disturbance entirely unconnected with any industrial crisis should occur in the United States, indicates that something is seriously wrong with our system of banking and currency. Of course we must, first of all, try to ascertain what it is that is wrong with our existing financial system. That is what Mr. Morawetz essays to do before suggesting a remedy that, on the one hand, will remove the present cause of financial trouble, while, on the other hand, it will not introduce a new source of disturbance or danger.

All business men will recognize that Mr. Morawetz is right in averring that occasional bank failures, due to dishonesty or incompetence on the part of bank officers, and occasional runs upon isolated banks by panic-stricken depositors, would not prove that anything is wrong with our system of banking and currency. If, however, the failure of one bank or of several banks, or a panic among their depositors, results in the suspension of practically all the banks, as lately happened, evidently something is radically wrong with the whole system or with the methods of conducting the banking business in the United States. "A system of banking," says Mr. Morawetz, "that fails to make adequate provision against unexpected contingencies such as the

suspension of one bank or several banks—a system that works satisfactorily only in financial fair weather—clearly is unsound and inadequate." What we need is a system that will carry us safely through periods of financial storm and stress.

What is the immediate cause of a stringency in the money market, of excessive interest rates, of inability on the part of the banks to grant the credits needed for the transaction of the legitimate business of the country, or of a general suspension of cash payments by the banks? The immediate cause, Mr. Morawetz answers, is that the banks either have expanded too far their deposit liabilities or have reduced their reserves beyond the limits of safety. When the banks keep their reserves of cash large enough in relation to their deposit liabilities, or, in other words, keep their deposit liabilities small enough in relation to their cash reserves, so that at all times they will be able to pay cash on demand to depositors, the banking situation, as a whole, is safe. To keep the banks in a safe condition, however, and to prevent bank failures and panics is only part of the problem which the National Monetary Commission has to solve. It is needful, also, to devise a system of banking that will meet the requirements of trade and commerce. The business of the world is based on credit, and banks are the instruments by which this credit is created. Modern enterprise and modern business activity would be utterly impossible without an enormous volume of bank credits. Some impressive figures are cited by Mr. Morawetz in connection with this subject. "The aggregate deposit liabilities," he recalls, "of the National banks alone amount to more than five billion dollars, and their loans and discounts amount to about that sum; while the aggregate individual deposit liabilities of all the banks [National, State, Savings and private banking companies] in the United States amount to more than thirteen billions of dollars, and their loans and discounts to more than ten and a half billions." These enormous volumes of bank credits cannot be diminished without diminishing the business prosperity of the country; and, unless the volume of bank credits can keep on expanding still further, there must be a check to the future development of the country. The problem, then, is not merely to make banking safe and to prevent future panics, but, also, to devise a system that will permit of the largest possible extension of bank credits consistent with safety.

The author of this dissertation shows that tight money or a stringency of the money market, whether general or sectional, may result from one or more of several causes. For example, the banks may be unable to grant further credits, or they may be compelled to reduce the amounts of their outstanding credits because their reserves have been reduced by unusual withdrawals of lawful money, as may happen when a large amount of money is used to pay duties and other taxes, and is, consequently, locked up by the Government, or when a large amount of currency is withdrawn either for use as a circulating medium in the West and South to "move the crops," or to be hoarded by panic-stricken depositors, or when a large amount of gold is withdrawn for export; or, again, the banks may be unable to grant additional credits because, through extraordinary activity in business, the aggregate amount of credit desired has been increased to the limit permitted by their reserves of lawful money; or, thirdly, the persons who desire credit may be unable to furnish satisfactory securities to such banks as still may be able to grant credits. Manifestly, then, the currency question is simply a question of bank credits and bank reserves. We repeat that the problem before the National Monetary Commission is, while preventing any unsafe expansion of credit or the issue of any unsafe currency, "to find a way, on the one hand, (1) to avert a depletion of bank reserves and a consequent large reduction of bank credits in times when lawful money is withdrawn to pay taxes and is locked up by the Government, or when lawful money is largely withdrawn for use as a circulating medium to move the crops or to be hoarded; and, on the other hand, (2) to enable the banks in times of great business activity to expand their deposit liabilities, together with their loans and discounts, and also adequately to increase their reserves of lawful money."

II.

What properly may be regarded as bank reserves? One of the notable features of Mr. Morawetz's essay is his answer to this question. He makes it clear that a deposit claim of one bank against another bank cannot be treated as a reserve if we have in mind the position of the banks collectively, or, in other words, the general banking situation. Obviously, the liability of one bank to pay money to another bank would not increase the col-

lective ability of all the banks to pay all their depositors, and would not in the least strengthen the general financial situation. When a particular bank increases its own reserve by drawing upon its deposit with another bank, it manifestly weakens to the same extent the reserve of the bank on which it draws. When, therefore, there is a general money stringency, the deposits made by certain banks in other banks are not good as reserves. The truth of this assertion was demonstrated during the recent panic. The Western banks, having large deposits with New York banks, began to draw against the latter, thereby diminishing the reserves of the New York banks; but, as the latter needed their own reserves quite as much as the Western banks needed theirs, the money stringency in New York soon reached the breaking-point, and all the New York banks suspended cash payments. From the moment that such suspension took place, the deposits of the Western banks were of no use to them as reserves.

May bank-notes be treated as a reserve? No, replies Mr. Morawetz; not if we have an eye to the general banking situation, instead of to the position of the particular bank holding such notes. A bank-note is merely a promissory-note, payable in money on demand. "Bank 'A' holding notes of Bank 'B' may consider such notes to be as good as money so long as Bank 'B' is solvent and pays its obligations on demand; yet it is manifest that, when Bank 'A' obtains money from Bank 'B' by calling upon it to redeem its notes, the reserves of Bank 'B' will be diminished exactly as much as the reserves of Bank 'A' are increased."

May call loans be regarded as a good reserve? Yes, so far as the bank putting them forth is concerned, because that bank can obtain cash promptly by calling such loans. Plainly, however, call loans do not strengthen the general banking situation, and therefore, when there is a severe money stringency, they are not good as reserves. Why? Because when a bank calls a loan the borrower either must borrow the same sum from some other bank or he must obtain the required sum by selling property, and in that event the purchaser usually must draw the money from some bank. When, therefore, a bank strengthens its own reserve by calling a loan, the practical effect is to draw the money from other banks and, just so far, to weaken their reserves.

What shall we say, then, of bonds or other securities that or-

dinarily find a ready market? They may serve as a reserve for a particular bank, which, by selling them, may obtain currency, but reserves of the kind do not strengthen the general credit situation. For, clearly, when a bank sells securities in order to obtain lawful money with which to pay depositors, the purchaser usually must draw the purchase price from banks. The selling bank thus would obtain currency by drawing indirectly from the currency reserves of other banks. Whenever, then, there is a general money stringency, bonds or other securities normally salable are not good reserves. We are reminded that during the recent panic many of the banks and trust companies, including some of those which failed, owned large amounts of high-class securities, but this did not help them or relieve the general situation, inasmuch as the combined lawful money reserves of the banks and trust companies were inadequate. We thus arrive at the conclusion that, so far as the general financial situation is concerned, deposits made by banks in other banks, or bank-notes, or call loans, or bonds and other securities held by banks, must be disregarded. For the ultimate payment of bank deposit liabilities the only true reserve is legal-tender money.

III.

How is an increased reserve of legal-tender money to be secured when it is needed? That is the *crux* of the whole question. Mr. Morawetz recalls the portentous fact that, according to the report of the Comptroller of the Currency, the collective individual deposits of all the (twenty thousand odd) banks and trust companies in the United States amounted on or about June 30th, 1907, to $13,099,600,000, while their aggregate reserves of cash of all kinds (including bank-notes) amounted to only $1,113,742,000. In other words, the collective cash reserves of all of the banks and trust companies amounted at the date named to only about 8.5 per cent. of their collective deposit liabilities to individuals. How dangerous this situation was will be obvious when we point out that the Bank of England generally holds a reserve of about fifty per cent. of its deposit liabilities, and a larger separate reserve for its notes; the Bank of France, a reserve of about eighty per cent. of its deposit liabilities and notes; and the Imperial Bank of Germany, a reserve of about forty per cent. of its deposit liabilities and notes.

How, then, is the aggregate amount of lawful money in the United States available as bank reserves to be increased? Not by the issue of more legal-tender silver dollars or of more Government notes. A resort to either expedient is dismissed by Mr. Morawetz as unwise or dangerous for reasons which we will not here repeat, but which his readers undoubtedly will find convincing. It follows that the lawful money needed to increase bank reserves must be obtained by a distension of the stock of gold. As gold, however, cannot be created by statute, the only practicable way of increasing the aggregate amount of the yellow metal available for true bank reserves is by obtaining additional gold from the mines, or by importing it from abroad, either by means of foreign loans, or by means of exports of cotton or grain or other commodities, or of stocks and bonds.

While, however, there is no practicable way of increasing the aggregate amount of lawful money in the country except by digging gold out of the ground or by importing it from abroad, there is a way of rendering available as bank reserves part of the gold and other lawful money already in circulation among the people. Here we come to the most valuable part of Mr. Morawetz's treatise, a part which especially deserves careful attention from the National Monetary Commission. How would he render available for bank reserves a part of the gold and other lawful money circulating among the people at a given time? This result could be attained, he says, through the issue by the National Banks of additional bank-notes, which are merely promissory-notes of the banks to pay lawful money to bearer on demand. If the public have entire confidence that whenever these notes are presented for payment lawful money can be obtained in exchange, people will accept the notes as equivalent to lawful money, and the notes will serve as a circulating medium in place of lawful money. The lawful money in place of which the bank-notes are used as a circulating medium is thereby made available as a reserve for the banks. Although, then, the aggregate amount of lawful money good as bank reserves cannot be increased an iota by an additional issue of bank-notes, the amount of lawful money available as bank reserves may be increased by substituting bank-notes for a portion of the lawful money in circulation.

Let us see how this plan would work in a concrete instance. If a hundred million dollars in bank-notes can be put out and

kept in circulation in place of a like amount of lawful money in circulation, a hundred millions in lawful money will be added to the bank reserves, and the credit power of the National Banks would be increased more than five hundred million dollars, according to the present average expansion of credits on the part of those institutions; and more than a thousand million dollars, according to the present average, for all the National, State and Savings banks and trust companies.

It is well known that as long as bank-notes are kept at a parity with gold and other lawful money, it is immaterial to the people at large whether they receive lawful money or bank-notes, and rarely, if ever, does the public present bank-notes for redemption in lawful money. The National Banks, on the other hand, always prefer lawful money, because lawful money is good as reserve, whereas bank-notes are not good for that purpose. For that reason the National Banks, whenever practicable, keep lawful money in their vaults and pay out their own notes or the notes of other banks. A constant process of sifting the currency thus goes on. When there is a demand for an unusual amount of currency for use as a circulating medium, the banks, if they have power to issue notes, pay out bank-notes to meet this increased demand. When, on the other hand, the additional currency thus created is no longer needed, people do not pick out the bank-notes and return them to the banks and keep the lawful money in circulation, but to the extent of the excess of the circulating medium lawful money and bank-notes are deposited indiscriminately. The banks thereupon sift the deposits made and retain the lawful money, but when currency is demanded for use as a circulating medium they again pay out notes. Two interesting facts are here brought forward by Mr. Morawetz. He shows that by this sifting process about six hundred million dollars of national bank-notes are kept outstanding year in year out, even when the aggregate amount of the circulating medium is needlessly large and when interest rates have fallen to a minimum.

It is through the same process that practically all the gold in the Dominion of Canada has been accumulated in the banks, while the currency in circulation among the people consists almost exclusively of bank-notes, subsidiary silver and small Government notes.

IV.

Divers plans have been proposed for the regulation of the credit situation in the United States by the issue and redemption of notes of the National Banks, and it has been argued that, were facilities adequate for the speedy redemption of the notes, a satisfactory regulation of the amount of the currency and of the expansion of bank credits would result automatically. Mr. Morawetz points out that the objection to these plans is that they furnish facilities for expansion, but fail to provide against over-expansion, and really furnish no means of regulating the credit situation. It has been suggested that we might adopt the banking system which prevails in Canada and in Scotland, where the power to issue circulating notes has been given to the various banks without any central control, yet where the system works well. To our author's mind it exhibits a large measure of optimism and a lack of regard for the judgment of the great nations of the Old World to argue that, because the system of independent bank-note issues works satisfactorily in small and conservative Scotland, with its eleven banks under the wing of the great central Bank of England; and in agricultural Canada, which has but thirty-four banks, the same system would necessarily work well in a country as large as the United States with nearly 7,000 National Banks (having deposits of more than $5,000,000,000, and already having outstanding bank-notes amounting to more than $600,000,000), and with nearly twice as many State banks and trust companies. We are reminded that the great commercial nations of the Old World, England, France and Germany, have not found it safe or practicable to give to all the banks the power to issue circulating notes that is conceded in Scotland and in Canada. In the three countries named the issue of bank-note currency is regulated by intelligent central control. Should we, then, follow their example and establish a great central bank? Mr. Morawetz replies that it would not be politically practicable to secure the enactment of the legislation needed to establish such an institution. Our experience with the former Bank of the United States shows that the American people will not consent to the creation of such a central establishment. The desired central regulation of the issue of bank-notes must be attained by other methods. Regulation by taxation has been advocated. It has been proposed that Congress shall provide a method of regu-

lating the banking and currency situation by authorizing the National Banks, in case of emergency, to issue additional notes for use as currency upon payment of a high tax imposed to prevent the banks from emitting notes, except during a period of severe money stringency and of very high interest rates. Mr. Morawetz shows that the only effect of taxation upon bank-note issues would be to render them expensive, and to prevent the banks from issuing notes before interest rates should have become high. The prevalence of a high rate of interest in Wall Street, however, such as probably would induce the issue of notes, would afford no test or indication of the probable safety of an issue of more notes or of a further expansion of credit. At best a highly taxed issue of bank-notes would be a so-called "emergency circulation," available only in times of stress and panic. It would be of no avail as a means of preventing a money stringency and possible panic. It would not furnish a means of increasing bank reserves or of restraining banks from unduly expanding credits in times when money is easy. Taxation of bank-notes, in a word, would not add in the least to the security of those notes or to the ability of the banks to pay their depositors and note-holders in lawful money on demand.

Another mode of regulating the financial situation which has found advocates in certain quarters is that the function of issuing notes for use as currency should be exercised exclusively by the Federal Government, and should not be delegated to banks. Mr. Morawetz recalls that no nation has ever resorted to an issue of Government notes except in times of trouble and low national credit, and that always such issues have proved in the end a source of loss and danger. Our own Government notes were issued in war times, and subsequently caused untold financial trouble and loss to the people of the United States. At present these notes have been rendered innocuous by the limitation placed upon their issue, and by the Government pledge to redeem them on demand in gold, and to maintain a large reserve of the yellow metal for that purpose. To expand the issue of such notes would be to invite the return of the financial evils from which the country suffered grievously for some ten years after the Civil War.

On still another proposal our author wastes but little time, the proposal, namely, to tax all the National Banks ratably, ac-

cording to their deposits, in order to provide a guarantee fund for the prompt payment of the depositors of every broken bank. During the last political campaign, it was asserted that the adoption of this plan would give to bank depositors in general such confidence that there would be no more runs upon banks and no more financial panics. Mr. Morawetz finds it easy to demonstrate that the practical outcome of such a plan, if carried out, would be that in good times and with prosperous business the weaker and more speculative banks would be encouraged to increase their loans, whereas in times of stringency and threatened trouble the strong and conservative banks would be forced to contract credits and to refuse accommodation for the purpose of maintaining and increasing their reserves so as to be able to meet demands to pay off depositors in weak banks. The tendency of the plan, therefore, would be to cause expansion of bank credits when conservatism is desirable, and to cause contraction of bank credits when credit is most needed to avert panic and disaster. In a word, no guarantee fund and no system of insuring bank depositors can possibly furnish a substitute for cash reserves. Mr. Morawetz disposes of the guaranty scheme by comparing it with efforts of a man to lift himself over a fence by his own boot-straps. "The plan would not increase the bank reserves by one dollar, and would not in the least strengthen the general banking situation. It would weaken the strong banks far more than it would strengthen the weak banks. It would tie all the banks together, the good and the bad, so that in the event of great stress and trouble all would be likely to fall together in one general ruin."

V.

What, then, is the solution which Mr. Morawetz propounds of the problem submitted to the National Monetary Commission? His plan is to establish a central agency empowered to regulate the issue and redemption of bank-notes by the National Banks, thus regulating the general expansion of credits, and insuring the safety of the general banking situation without subjecting State banks and trust companies to national legislation. To carry out this project, he would have an Act of Congress authorize the National Banks to form an association subject to terms and conditions prescribed in the Act, for the sole purpose of issuing notes upon their joint credit. The association should have no

capital, and should not have power to receive deposits. It should be simply a joint agency of the associated banks, like a large clearing-house association. The association should become operative when it should comprise banks having a fixed aggregate capital stock of not less than $250,000,000, though all National Banks should be entitled thereafter at any time to join the association.

Sketching his plan in detail, Mr. Morawetz suggests that the banks constituting the association should elect the managing board or committee consisting of fifteen to twenty-one experienced bankers or business men familiar with general conditions and with financial operations, which managing board should control the affairs of the association. As the whole American community, however, is interested in the character of the currency, and in the stability of the financial conditions and of interest rates, no action of the managing board affecting the volume of outstanding notes or the percentage of the redemption fund applicable to the payment of such notes should become effective until approved by the Federal Government acting through the Secretary of the Treasury. Mr. Morawetz would make the Comptroller of the Currency *ex officio* a member of the managing board of the association. All the other members of the managing board would be elective, would hold office for three years, and would be so classified that one-third might be chosen annually. In electing them each bank would have one vote for each $25,000 of its capital stock for each manager to be elected, and should have power to cumulate its votes. The principal office of the association Mr. Morawetz would place at Washington, and he would have the association required to establish a branch or agency for the issue and redemption of notes in each city wherein there is a United States Subtreasury. It should be, moreover, the duty of the association within two years after it had commenced operations to establish a branch or agency for the redemption of notes in every city of the United States having a population of 100,000 persons.

Now let us see how this plan would work. Each bank which was a member of the association would have a right to take out and issue notes up to an amount which, including its present bond-secured notes, should not exceed its capital stock. With the approval of the Secretary of the Treasury, the managing board should have

the power from time to time to increase, ratably as to all banks, the authorized amount of their note issues, and thereafter to reduce any such increase that may have been authorized; the power to increase the authorized amount of the note issues, however, should be limited to some fixed percentage of the capital stock of the bank. No bank should be authorized to take out notes if its capital stock should not be wholly paid up and unimpaired, nor if it be in default in depositing and keeping up its note-redemption fund or in the payment of any sum due to the association. The notes should be prepared by the association under the supervision of the Comptroller of the Currency, and every act of the association should be subject to his supervision.

We have just spoken of a note-redemption plan. What is the arrangement for that purpose which Mr. Morawetz has in mind? He says that each bank, having issued notes, should be required to keep on deposit with the association, as a redemption fund for their payment, a sum of lawful money equal to twenty per cent. of such notes or such greater per cent. thereof as from time to time may be prescribed by the Board of Managers and the Secretary of the Treasury. He would have the note-redemption funds of the several banks administered by the Board of Managers under the supervision of the Comptroller of the Currency. The great function of the Board of Managers, acting in conjunction with the Secretary of the Treasury, would be from time to time to fix the authorized limit of the note issues of the several banks (if any increase beyond their capital stock should be authorized) and to fix the amount of lawful money to be deposited with the association for redemption of the notes.

Mr. Morawetz believes—and trusts that the National Monetary Commission will upon consideration also believe—that this power of the Board of Managers, exercisable in conjunction with the Secretary of the Treasury, to increase or to diminish the percentage of the note-redemption fund, would enable them to regulate the uncovered volume of the notes outstanding, and to give stability to financial conditions generally.

M. W. HAZELTINE.

WHAT IS JEWISH HISTORY?

BY PROFESSOR ABRAM S. ISAACS.

It is generally held that the history of the Jews ended with the fall of Jerusalem; the fact is, however, that it really began from that date, as the Jew lost a little strip of soil and gained contact with the world instead. In other words, instead of continuing as a petty Eastern dependency, with its narrow limitations, the Jew became from that time an international factor. Long before the capture of Jerusalem by Titus, a change had become inevitable; as the Jews, after the Captivity in Babylon, fell under the sway of Egypt, Syria and Rome. The periods of independence after the Return under Ezra and, later, under the Maccabees were brief and transient.

Considering Palestine merely as a kingdom and from the political point of view alone, it is clear that its conquest could not long have been delayed. Its position was too tempting to escape notice; and the stronger it grew the more inevitable became its vassalage to one of the great Powers that then, as such Powers do now, swallowed up the small nations. The game played in Bible times by Assyria, Babylonia and Egypt was continued in later centuries—in the era represented by the hiatus between the Testaments—by Persia, Syria and Rome, particularly when the successors of Alexander the Great fought for supremacy. Palestine was practically in the position of Poland, when the latter proved so choice a morsel for Prussia, Austria and Russia towards the end of the eighteenth century.

Now was to begin the real history of the Jew, with all its lights and shadows in the lands of his Dispersion; and, because he carried a very old book with him, his Law and his Prophets, he was enabled to be at home everywhere and become a good citizen in any land that assured him civil and religious freedom.

Many interesting points are connected with the Jew's Dispersion which are never touched upon in school histories, and hence are probably unknown to the general reader. In the first place, the extent and duration of his wanderings are almost incredible at this date. Call it a migration, rather than a wandering, and a better idea can be given of the spirit of Jewish history, which has been a series of migrations, voluntary and compulsory. In this respect, the Jew is no exception to the general law upon which our modern civilization is based, which is that of migration. Language, handicraft, trade, culture, all that we term the fruits of civilization, are largely, if not wholly, due to the migration of peoples from land to land, clime to clime, from the mountains to the plains, as a more favorable home was sought, and as race and tribe yielded to the advance of the stronger. The Jew's ceaseless migrations wonderfully tended to his vitality, developed him into a cosmopolitan, with his creed to-day more universal and his influence wider than was possible in the days of his beginnings on Palestinian soil.

Now, whither did he migrate, when the Roman plough was driven over the site of Jerusalem? He had been used to wandering before that date—he could be found in large numbers in Egypt, in Greece, in Italy, in Asia Minor; but now he had to seek a wider home. In the West, he followed the Roman soldier along the Rhine, in Gaul, in the forests of Bohemia. Undoubtedly the Jew's earlier appearance in Greece, Asia Minor and Rome had much to do with the rapid rise of the Church, for he was beginning to familiarize the heathen world with the Scriptures and thus prepare the ground for Christianity. In the East, he went to Persia, Arabia and India, penetrating the farthest realms of the Orient. His presence in Arabia had much to do with the rise of Islam, for Mahomet drew much of his inspiration from the Bible and the lore of the rabbis.

What was his occupation in those early centuries preliminary to the so-called Dark and Middle Ages? In Rome, the catacombs, with their Jewish and Christian emblems rescued within a few decades from a sleep of nearly two thousand years, show that both Jew and Christian, exposed alike to pitiless persecutions, fled underground to hold religious worship and bury their dead. In favorable times, however, the Jew emerged from seclusion and, thanks to his genius for language due to early edu-

cation and his aptitude for trade, he became an intermediary between Europe and the Orient, not only in the world of commerce, but also in the world of thought. His caravans tapped the richest lands of the Far East, bearing spices, silks, gems, fruit, etc., for the Western market. He was to reveal as well the treasures of Greece and India, and in the rôle of translator he opened new vistas of philosophy, science and folklore.

Jewish history tells a story of almost constant persecutions—from the era of Justinian to that of the latest Tsar. The expulsions have been harrowing, from England (1290), from France (1181), from Spain (1492), from cities and smaller kingdoms with ever-increasing hardships. No wonder that the legend of Cartophilus, the Roman soldier, first told in the thirteenth century, became known as that of the Wandering or Everlasting Jew; for the spectacle of hosts of Jews ever moving from place to place was a common one in those centuries; and it seemed to be regarded as a duty, by rulers and the people, to intensify the curse and thus help Providence by the most incredible enactments to humiliate and degrade the luckless wanderers. They suffered numerous restrictions in trade, occupation, dress and dwelling. A Jew-badge, consisting usually of a yellow bit of cloth, wheel shaped, was affixed to the garment of old and young, while pointed hats were worn. They had their own special quarters, often designedly in the most unsavory section of the cities, —the Ghetto was general throughout Europe and is still preserved in the Mellah of Morocco. Intermarriage with the Christian was forbidden, the employment by them of Christian servants was prohibited; in some countries the annual number of marriages among themselves was limited by law.

The expulsion from Spain, a land associated with the fairest memories, in which Jews had attained high rank in literature, science and statesmanship, was the bitterest blow they endured since the fall of Jerusalem. During Torquemada's fifteen years in office as head of the Inquisition, eight thousand Jews and Maranos—the latter were pseudo-converts—were put to death, and more than six thousand in effigy, while two hundred thousand Jews went ultimately into exile in Central Europe, Asia and Africa, settling chiefly in Poland and Turkey, which were then hospitable to them, and also in Holland, Brazil and the West Indies, whence a small band appeared as suppliants at New Am-

sterdam in 1655, and received the privilege of entry from Peter Stuyvesant on condition that they would take care of their poor.

There were occasional pauses, however, when they enjoyed a large measure of happiness and security. Behind the Ghetto gates their homes were altars, their domestic lives pure, their schools vigorously upheld and their synagogues formed a sovereignty of their own. Forgetting the shameless indignities practised on them, they wrote and taught, worked and planned, and numbered their poets and scholars even in troublous times. Their buoyancy was irresistible—heart and brain were kept fresh and strong by study and aspiration. They were physicians, too, to Court and Church; and if no other profession was open to them, often as financial agents they controlled the sinews of war and rendered service to the state. They were not always prudent, it must be confessed, and an occasional tendency to ostentation aroused public odium, while legend exaggerated their wealth until the mob thought it a duty to despoil them in an era of dangerous popular superstition. As kings and prelates were often greatly indebted to the Jews, the easiest way to settle accounts was to excite the mob against them and thus destroy all evidences of indebtedness.

Apart from occasional popular outbreaks, often checked by friendly prince or bishop, Ghetto existence was uneventful. The synagogue was the centre of communal life, the Sabbath and festivals were joyously celebrated. The Jew believed that his trials were divinely ordained and for a wise purpose; while hope in a Messiah was so vivid that now and then pseudo-Messiahs were welcomed and caused excitement in Europe and the East, even if their claims failed of realization. Often when news reached the Ghetto of the appearance of such an impostor, many Jews would sell their goods to secure funds to journey to Palestine to meet the deliverer, so naïve was their faith. And yet this was centuries before the Millerite excitement in New England and the appearance of Dowie, the so-called prophet, in Chicago.

The Jews were always more or less influenced by their environment, however inflexible their conservatism. Like their contemporaries, they had their heresies and heretics, but in modest fashion. Thus the Karaites in the eighth century represented marked dissent from the parent stock, while the Hasidim or the

pietists of Poland, who sprang into existence in the latter part of the eighteenth century, met hostile treatment from the rabbis of the traditional school. The rise of the Cabala is another illustration of Jewish intellectual fertility, while Moses Mendelssohn (1740-93) is regarded as beginning the movement towards emancipation from within, which kept pace with civic emancipation in the states of Europe. Varieties of conservative and reformer, radical and Zionist of different degrees of intensity, are found to-day in Jewry,—the conflict of opinion dates from the Talmudic age, when parties and partisans debated hotly in the schools of Palestine and Babylonia. The Jew was never mentally dormant; he preferred aberration to torpor.

The proscriptive measures of State and Church from the early centuries had practically the aim in view attributed to a distinguished Russian official who recently died, but not at the hands of an assassin. It was to drive a third of the Jews to death, a third to exile, and a third to the Church. It is possible that this computation is correct, although there are no exact statistics to confirm it. Doubtless many Jews sought security by conversion, while intermarriage had its natural effect in withdrawals from Judaism. Jewish and princely blood have often commingled, especially in Spain. No more thrilling chapter is found in Jewish history than that which records the fate of the Maranos of Spain and Portugal, the majority of whom publicly professed Christianity and yet remained Jews in private. Against them the mob was embittered more than against their former brethren, and unutterably cruel were the sufferings they had to undergo. Hundreds, nay thousands, met death at the stake rather than renounce in reality their olden faith; while as emigrants, like the Huguenots, they added to the wealth of their adopted country and became leaders in varied lines.

The history of the Jews has not ended; it is bound up with the history of civilization. Judging, however, by the spirit of Israel's past, his reverence for his book and its traditions, as well as his love for country and humanity, breadth of view and mental alertness, he can anticipate the future with every confidence. The world is advancing in reality and the tribunal of The Hague dimly points to an era of human brotherhood, when the Jewish prophet's vision of universal peace shall be realized.

ABRAM S. ISAACS.

WHY ENGLISH DOES NOT SIMPLIFY HER SPELLING.

BY MAX EASTMAN.

SOME people like to reform everything they can get their hands on. Others want to fold away and worship whatever is presented to them by the caprice of history. The world is pretty evenly divided between these two. If only Creation had thought to make all the radicals red and all the conservatives white, it would have been a great convenience. For there is no use in trying to estimate a man's opinions until you discover to which of these fundamental schools he belongs. If he belongs to the reds, you take everything that he says with a grain of salt, and make up for not following his advice by enjoying his company. If he belongs to the whites, you take what he says (with all due respect for his gray hair and family connections) with a grain of pepper. Perhaps the drift of these remarks will reveal the fact that I am a red. I like to meddle and tinker. I would rather go from bad to worse than let well enough alone. I belong to that disreputable class damned by Tacitus (or Cæsar, or somebody who understood both Latin and human nature) as "desiring a revolution for its own sake." To such persons everything very obviously needs reforming, and the only question with them is, whether or not they have time to give the revolution their personal supervision. Instead of introducing myself, therefore, as the other debaters upon simplified spelling do, by wagging a long tail of university degrees, I will give the more relevant information that I am a red, and that what I say about anything organized or established is generally taken at a considerable discount.

For this reason I instinctively defend the Simplified Spelling Board. Its critics ought to remember that its motives are com-

plex, like the motives of human beings. It is not reforming the language with a special view to spelling-books, or printing-presses, or international diplomacy, or phonetics, or logic, or historic truthfulness; it is moved by all these considerations at once. To reform a thing means to make it better than it was; and in order to make a language better, it is necessary that all human interests be considered. That is what the Spelling Board is trying to do. Somehow it has got stuck in the popular mind that the chief purpose of this reform is to make it easy for the Germans to learn our language, so that we will not have to learn theirs. That is one very important consideration; but there are others just as important—"historical propriety, scientific regularity and practical economy," says the last bulletin. These three. And the greatest of these is practical economy. Which divides itself into economy in printing and writing and typewriting (five per cent. of our letters being considered superfluous), economy of eye-strain, economy of paper, economy of time spent by teachers and pupils (generously calculated at about a year for every pupil). We can save a good deal of money out of what we are spending for education and put it into battleships. Practical economy is the chief motive. But the others are there—"historical propriety," which some think is the only valid reason for anything, and "scientific regularity," which will make it possible for a child to reason out his own spellings. He will not so soon get the idea that education consists of being told. That is, to my revolutionary mind, the most important argument in favor of rationalizing our spelling. But no one of these arguments does all the work. The members of the Committee use them all. They try to strike a liberal attitude which will yield the highest values in each direction. When "practical economy" gets tired, they fall back on "historical propriety." When that wears out, they hitch up "scientific regularity." So you can generally suspect, when you see one of these arguments laid off, that the others are working.

It was a great joke, I thought, that the Board should fancy they were simplifying things when they took a few verbs that ended in *ed* in the past tense, and changed them to *t*. When you once learn that English verbs form their past in *ed*, it is no simplification to have to remember that some of them cut it down to *t*. Ending in *ed* in the past was about the only consistent and respectable thing that English verbs ever did. Now

that is gone, and we have a new exception on our hands. It used to be very smart to laugh at this "simplification"—but that was before you read the bulletins. After you read them, you found out that "scientific regularity" was not on the job there at all. It was "practical economy"—eye-strain, ink, paper, typewriters' fingers, proofreaders' nervous system—with "historical propriety" bossing the reform.

Of course, it is a little amusing to the man who is not doing the work to see a reformer get into trouble. After they get all those 900 long-tailed preterites in *ed* docked, then they have to go to work and lay out a new museum of exceptions.

"Verbs that end in *-ce* (*-ace, -ice, -ance, -ence,* etc.) in the infinitive cannot have the *d* in the preterit ending *-ced* simplified to *t*, because the resultant sequence *-ct* would be abnormal for the sound intended.

"The *-ed* cannot be spelled *-t* when the infinitive contains a long vowel written a—e (bake), e..e (eke), etc., etc."

These exceptions make you sick with the old blackboard sickness. This is where the language kicks back. It won't rationalize. Nothing will. It is the same way with the universe. Every once in a while a philosopher sets out to reform the universe, and, for every new rule he puts up, the universe comes back at him with another batch of exceptions. The raw material can always raise you one higher, if I may advance the figure, and that gives zest to the intellectual game. So it is with these grammatical exceptions. You could not eliminate them entirely, even if you had the remodelling of the human gullet. The object is, however, to reform the universe just all it can stand, but never forget that it was there first and you have to keep your eyes open.

There is one direction in which the Simplified Spelling Board has not kept its eyes open. One vital human interest, if my feelings do not mislead me, their bulletins of apology and exegesis never mention. I am not excited about it because I believe it will take its revenge. It will reform the reformation. But I take pleasure in pointing it out, because this is the first time I ever discovered in my own mind, anything like a conservative bias.

In an age which reduces all things to the so-called "practical test," we are prone to forget that a thing is practical only because it leads to an increase of some pleasure which is not prac-

tical, but enjoyed for its own sake. If we are going to make our language practical, we change it in such a way as to make it more useful to us in getting those things which we want, not because they are useful, but just because we want them. There is no use saving money on schools unless we can use it for something that we like better. Now, one of the things that we like, not because it is useful, but just because we like it, is beauty. A great many of the truest and best Americans are vitally interested in beauty as manifested in literary art. To them words have a value, not for what they can do only, but for what they are. As one of the chief values in literary art is variety (in the sound, appearance and associations of words), and as the work of the Spelling Board is an assault on the unparalleled varieties of the English language, it is right for artists to demand that the Board have an eye to this interest. Looking through their publications, however, I find not the scantiest allusion to the subject.

In the circular of May 20th, 1907, after congratulating themselves upon the support of scientists, they proceed as follows:

> "On the other hand, the most vociferous of our opponents have been men of letters. It is pleasant to record that many of the foremost figures of contemporary American literature can be counted as ardent advocates of our cause. But it is indisputable also that some writers of prominence have revealed themselves as tied fast in the bonds of prejudice and as glorying in their enslavement. Perhaps, however, this is to be wondered at less than it is to be deplored, since it is the duty of the lyrists and of the romancers to use the language as best they can, and they are under no obligation to acquaint themselves with its history or with the principles which govern its growth."

The writer of that paragraph is stupid. Men of letters are just as prejudiced as, and perhaps a little more ignorant, than, anybody else; but they are human beings too, and as such the prime fact about them is that they are interested in their own interests. They are under no obligation to acquaint themselves, he says, with the history of the language or the principles that govern its growth. Indeed, they are not; and neither is any scientist, or typewriter, or proofreader, or schoolma'am, or steel manufacturer, or politician—nobody, in fact, but a few blue-spectacled lexicographers and close-eyed root-ferrets who make their living that way. They can't reform the language. The language will be reformed, if it is, by a great army of persons whose differing interests are all subserved by the change, and the "historical pro-

priety" people are an exceedingly insignificant squad in that army. Men of letters—especially the more subtle—do not belong to that army, because they are (like men of everything else) "tied fast in the bonds of prejudice" in favor of the things that they like best.

Men of letters are not, as a rule, primarily interested in any one of those reliable old shifts—scientific regularity, historical propriety, or practical economy. They are working a different shaft. They make their living, if they can, out of psychological variety, and that is what they are hunting for. To condemn them because they are not primarily interested in extricating German immigrants from the spelling-book, or smoothing down typewriters, or saving school money in order to emphasize the gestures of our navy, is as irrational as to condemn a natural-born red for wanting to revolutionize the language. They can't any of them help it.

Now, to be fair to the quotation, I will explain what the writer meant by saying literary objectors are tied fast in the bonds of prejudice and glorying in their enslavement. He meant that they are unwilling to give up the word values and word associations which they like, simply from habit, for others which are just as good, but which are unfamiliar to them. For instance, if you are a literary man, the word *debt* (spelled with a *b*) will have a special value for you and a great many rich associations. You have got used to the *b*, and the word will not fit comfortably into a page without it. It will not have just the same feeling-tone. But the Spelling Board believes it is your duty, in the interests of other trades, to drop the *b* and get used to the new form, which is just as good in itself, and which will soon begin to carry all the associations that the old one carried. In that particular case, the Spelling Board may be right. A great deal of the opposition to any reform arises from the selfishness of people who refuse to change their old habits for new ones that are just as good for them, and better for somebody else. On the other hand, it is very difficult to decide, in a given case, whether you are objecting to a new form just because it does not bear the old associations yet, or because it is by its intrinsic nature not fit to bear them. It is difficult to say whether *passiv* (with that abrupt and gymnastic ending) is unfit for the poetic representation of inactivity, or whether it merely seems unfit because

we are accustomed to slide off on an *-ive*. It is difficult to distinguish the judgments of custom from the judgments of reason, but this is a very general infirmity, and it is not, like ignorance, peculiar to men of letters.

A man of letters, essaying to write gruesome poetry, who should leave the *h* out of *ghost* and *aghast* and *ghastly* and *ghostly*, and the *w* out of *wraith*, and change the *re* of spectre to an *er* would be a fool. He would deservedly die of starvation. A ghost without an *h* is little better, for the purposes of poetry, than a goat. The *h* not only *is* connected by custom with the breathless and visionary moment, but for obvious reasons it *ought* to be. The word *ghost* is not at present associated with *post* and *most* and *roast* and *toast*, and a host of daylight experiences, and it is essential to the literary art that it should not become so. It is, with one or two others, a word by itself—a strange word, essentially unpronounced, unmuscularized, supernatural.

A member of the Simplifying Board brings forward, with the gusto of a bull routing the antiques out of a china-shop, a long parade of words that contain a needless *h*, thrust in by Caxton "after a Dutch fashion"—*ghuest, ghittar, ghospel, ghossip*, etc. —triumphantly pointing to the fact that we have got rid of this "awkward squad," and apparently wondering why *ghost* and its companions remain. Perhaps, if the writer had a little more sympathy with the growers of language, with some less knowledge about its growth, he would be just as wise. "In Italian," he says, "'hard' *g* before *e* or *i* is written *gh*, in French *gu;* but these devices are not needed in English." If they are not "needed," it is the more creditable to the artists, the true developers of the written language, that they were retained. It is the more creditable to them that they could tell the essential difference between a gossip and a ghost. "After a Dutch fashion," says he, with fine scorn. Whereas it is the pride and glory of the old Anglo-Saxon drift that it knew just where and when to borrow a jewel and slough off a scab. Every Continental nation has been robbed of its most intimate peculiarities. Asia and the treasuries of Ind have been levied upon. There is that word *wraith*, a jewel to me since childhood, a word on whose historical propriety and scientific regularity and practical economy I dwell in a most serene and blissful indifference, but a word borrowed, I know, by the happy genius of the English people from

some travelling caravan of foreigners or fates. The man that desecrates such a syllable, a unity and a symbol of evanescence, like the half-uttered breath of a spirit, is the mortal enemy of all artists. Be he red or white, their ways part before the altar of beauty.

Not only is that word a jewel because of its suggested sound and its appearance, both essentially depending upon the *w*, but it is precious for two other reasons. One of these is its uniqueness. There is nothing else in the world like it, and there shall never be. The other reason is that its verbal and literal associates are totally different from what they would be if the *w* were omitted. It would be one of a vulgar company—*rail, raid, rain,* etc.—without its unutterable beginning, whereas with that beginning it is as little like any of those words as the vision itself might be. It is potentially associated with *why* and *whither* and *where,* words of hesitation and wonder.

To many, who cannot feel a word, or who, feeling it, cannot believe that their feeling depends upon such trivial things, these will seem the refinements of decadence. The sound of a word, they will think, ought to be enough to satisfy a healthy poet. That the sound is by no means unique in importance, however, any one may demonstrate to himself by comparing the flavor of two such words as *rough* and *ruff*. Not only the appearance, either, determines the difference, but very largely the muscular sensations of the throat and mouth. I venture to say that, were our ears subtly aware of the finest overtones, we should find those words differently pronounced. Our muscular sense is aware of the finest overtones. *Rough* is a very different word from *ruff,* aside from its meaning, to the most practical man. To me, as it happens, *rough* is more sharply distinguished from *ruff* than it is from *bough,* the appearance being more effective in that case than the sound.

As it is by no means impossible, however, for a red to be a decadent, and as the name of so deep and wholesome an artist as Mark Twain is recklessly advanced upon the side of simplification, I appeal upon the question of the importance of these subtleties to the only literary man of our times who rivalled him in popularity—Robert Louis Stevenson. I can find nothing to quote which quite indicates his views on a spelling reform; but I need only point to that essay, "On Some Technical Elements of Style in Literature," for assurance that he believed in the in-

dispensability of subtle differences, not only in the sounds of words, but in their shape, and alphabetic associations, and size, and velocity, and grace. I quote a few significant, although not strictly apposite, words. The whole essay is apposite enough in the subtle perceptions which it reveals.

"And you will find another and much stranger circumstance. Literature is written by and for two senses: a sort of internal ear, quick to perceive 'unheard melodies'; and the eye, which directs the pen and deciphers the printed page. Well, even as there are rhymes for the eye, so you will find that there are assonances and alliterations. . . . Here, then, we have a fresh pattern—a pattern, to speak grossly, of letters—which makes the fourth preoccupation of the prose-writer, and the fifth of the versifier. At times it is very delicate and hard to perceive, and then perhaps most excellent and winning."

For further evidence that the perception of these hues and flavors is not a hypertrophy of the literary organ, observe this casual remark of an artist in a more respectable field:

"And if we have lost so many things, which in some cases are lost forever, of what seemed to the makers of works of art in the past the very essence of their difference from other people, what other things do we not lose when, for example, in poetry the exact quality of a single vowel, its shading in the scale of sound, has so much expression, so much importance to us? Think of all the combinations of these simple elements in the style of a great poet. Each syllable has a personality of its own. . . ."*

For final proof that even a person of "scientific regularity" is constrained to recognize the visual and kinetic values of words, I quote in haste this passage from the most recent work upon the "Psychology of Beauty":

"Manifold may be the implications and suggestions of even a single letter. Thus a charming anonymous essay on the word 'grey.' 'Gray is a quiet color for daylight things, but there is a touch of difference, of romance even, about things that are grey,' etc."

Without looking farther for proofs of sanity, I will endeavor to set forth, with what scientific regularity I can myself muster, the various effects of the proposed simplification upon the language as artistic material.

The first of these effects is the mutilation of many words which have a precious character by virtue of silent, or so-called "super-

* John La Farge, "Considerations on Painting."

fluous" letters. (1) These may be precious because their present form is like their meaning:

fragile	*fragil*	*thumb*	*thum*
numb	*num*	*scimitar*	*simitar*
scythe	*sithe*	*harangue*	*harang*
solemn	*solem*	*kissed*	*kist*
gazelle	*gazel*		

(I choose a few of these published changes at random, and, while some of them may represent personal prejudice, a universal truth remains. For instance, the *c* in *scythe* and *scissors* and *scimitar* is to cut with.)

The English language is especially rich in such words—termed "onomatopoetic." As words were many of them born of the perception of such analogies, so many of them have been retained or altered by the same instinct. This accounts for untold "superfluous" or "illogical" letters. *Buz* is very good logic, but very poor poetry compared with *buzz*. The *b* in *dumb* and *lamb*, so the propriety man tells us, is "original"; the *b* in *thumb* and *numb* was inserted. But the reason why all four *b*'s are there now, is one and the same reason—namely, that each is, in a most delicate way, congruous with the meaning of its word. It is difficult to estimate things that are so unseizable as these, their elusiveness being the essence of their value. Like happiness itself, and like the motes before your eyes, when you look straight at them they run away into a corner and are not. But such gypsy things are most precious. In these ways our spelling is superior to the spelling of French and of German, and far superior to the spelling of Italian and Spanish. The practical economy man calls it "vicious." "It is unworthy of a practical people." "No better example could be found of the inconsistency of human nature," says he, "than the fact that the most businesslike of races has been so long content with the most unbusinesslike of orthographies." There is nothing inconsistent about the practical economy man, however. He is practical from the front end of his pamphlet to the back. It is possible that he sees the Anglo-Saxon race under the shadow of his own nose. It is possible that, if he would look beyond his own age and province, he would find the Anglo-Saxon more notably artistic and intellectual than businesslike. There is a race or two here that competes with us successfully in business. There is none in

literature. And if he should find any further evidence of this unpractical bent, then the spelling could line up on the same side of the argument. The Anglo-Saxon race might thus prove almost as consistent as the economy man, for there is no written language more worthy of an artistic people.

(2) The destroyed words may be precious because their present form makes them unique, whereas the change reduces them to vulgarity.

nitre	*niter*	*build*	*bild*
mould	*mold*	*choir*	*quire*
although	*altho*	*guardian*	*gardian*
sylvan	*silvan*	*campaign*	*campain*
rhyme	*rime*	*league*	*leag*
autumn	*autum*		

Let *autumn* stand for a thousand tone-poems that the proposed reform would destroy. Literature will never relinquish *autumn.*

(3) Words may be precious, by virtue of "superfluous" or "illogical" letters, because these letters determine valued associations and prevent disastrous ones.

limb	*lim*	*sovereign*	*soveren*
courtesy	*curtesy*	*lamb*	*lam*
tongue	*tung*		

The words that find themselves, one way or another, in this list are innumerable. You can do what you like with *phthisis,* and *eggs,* and *cyclopædias,* and *hæmatins* (whatever they are), but when you try to make *courtesy* into an American there is a kind of folly in the effort. Courtesy belongs to the leisure of the court; it would die after two days in a curt atmosphere. No music would ever flow from a *tung;* it could proceed as well from the *lung,* which it never has in the history of metaphor. And when it comes to trying to make a lamb *lam,* all poetry and religion protest. A lamb *can't* lam. He is too blunt. You might as well try to make a cow scream as to make a lamb *lam.*

It will be noticed, further, that most of the words quoted belong to more than one of these three lists. Some belong to all three. And in this connection I cannot forbear to return to the word *choir.* It is another childhood favorite. "Where the stars choir forth eternal harmonies"—sings to me from an old translation of Bruno, a phrase of which *choir* is the vital spirit. *Choir* is a word, so far as I can remember, absolutely unique, a word

without any poor relations. *Quire,* on the other hand, besides a distinctly papery feeling of its own, has a whole rabble of disreputable low Latin verbs coming after it. The stars could never stoop to it. "Choir," says the historical propriety man, "is one of the worst spellings in the English language. It is a blundering mixture of the modern French spelling *chœur* with the real English spelling *quire.*" Let us thank God, then, that we are blundering Anglo-Saxons! We do not see the English language through propriety spectacles, but with the ignorant prejudice of an outdoor eyesight. I could almost wish I were a man of letters, I am so glad that I am not the historical propriety man. *Choir* stays in my vocabulary.

But to proceed with scientific regularity, there is another effect which simplified spelling has upon the literary material: it improves certain words in the same three ways I have mentioned.

riskt	*risked*	*gipsy*	*gypsy*
stampt	*stamped*	*clipt*	*clipped*

I do not classify these examples and spread them out and make a show of them, partly because I have developed a prejudice against the Simplifiers since I recalled their last desecration, and partly because there are not enough examples. It is obvious that a movement toward uniformity will tend to destroy rather than enhance associations and individualities; and it is obvious to one who knows how much onomatopœia has influenced the development of our language that any logical and economic reprisals upon it would tend to destroy these cherished fabrics. In those words ending in *t* the gains and losses are about even. For instance, Whitman (who, in passing, will not be accused of super-refinement) gained a similar flavor by writing, "Hush'd be the camps to-day." The hush actually occurs at that moment. And so it is with *clipt* and *dipt,* etc. But *kist* is altogether wrong. It would only do for a parlor encounter with an aunt.

In poetry sometimes we linger and sometimes we jump, but in "practical economy" we are always on the jump. A spare and naked line has a unique beauty—a line like this one of Shelley's, without a superfluous ounce for the eye or ear:

> "But list, I hear
> The small clear silver lute of the young spirit
> That sits on the morning star."

But a language that was committed throughout to that style would be poor indeed:

"Season of mists and mellow fruitfulness!"

"Seson of mists and mello frutfulnes!"

From a literary standpoint it is desirable, within limits, to have a choice between two or more forms, and especially has this been appreciated in the case of past tenses. Keats uses the *t* and the *'d* and the *ed,* and it is undoubtedly a gain to be set more free in this respect by the Simplifiers.

The final, and possibly most important, effect of the simplification would be the loss of variety itself. The eccentricity of a given word, such as *through* or *enough,* may seem to have little intrinsic merit, but it is of untold value to the literary artist that his material be diversified by these venerable prodigies. They help him to endow every phrase with a separate character. For every wild word or bundle of words that is trimmed down and fitted into a group, an invaluable resource is lost to the poet.

We boast that our language is not second to Greek in its power of conveying subtle impressions; a great part of this power rests in the infinite number of phrase combinations possible. The Simplifiers aim to kill this power. An irreducible conflict therefore subsists between the commercial interest and the art interest in our language, and that is why men of letters have been "the most vociferous opponents." That they not only are "the most vociferous," but that they will prove also the most effective, remains to be pointed out.

It has already been stated that æsthetic judgment was the sovereign power in developing and controlling our language. Nothing else could have steered us through the Norman period, the season of our wild oats, the ecclesiastical oppression, the barbaric influence of scholars and propriety men, of pedants and scientific regulars, of King Charles's French peacocks, and of the modern utility people. It is the exquisite sensibility of the English race that has conveyed to us through all these hideous onslaughts "a veritable power of expression, such as perhaps never stood at the command of any other people." I quote from Jacob Grimm, "In wealth, good sense and closeness of structure, no other of the languages at this day spoken deserve to be compared with it." But if the controlling interest in the past has

been æsthetic, it is safe for the hopeful to assert that it will continue so in the future, and that, therefore, those who desire that English should become the language of the earth do not wisely begin by making an assault upon its wealth.*

The recurrent instinct of man is to cling to that thing which is not good *for* something, but good in itself. And that is why I believe that the artistic interest will reform the reformers. A few of their expedients will be chosen, are half chosen already; others will remain long as alternative forms; the language will clear itself and limber itself somewhat in response to the mania of expediteness that besets its American cultivators. The age will leave a characteristic mark; but it will leave, roughly speaking, only what is an addition to the wealth and not to the practical economy of its inheritance. A type of the usual arguments against simplification is that one which asserts that the forms of words are historic records significant of the interests of different ages, and that therefore we should leave them as they are. But if anything could be a better historic record, or more significant of this age, than the marks of violence left by its attempt to make the language *practical* I have to be informed of it. Such marks will undoubtedly be left upon the language, but they will be subservient to that general æsthetic development which so envelops the Simplifiers that they remain totally incognizant of its existence. The language as an immediate value will be a little enriched by the characters of this epoch, as history herself is a little enriched in interest by the arrival and passage of a period of frenetic commercialism. But the vast area of reform suggested by the Spelling Board is a futile thing to contemplate, because it knows only propriety and regularity and economy, whereas the true treasurers of the language are and always have been the knowers of its immediate beauty.

This is so certain that, but for the satisfaction of showing hands on the victorious side, it were futile to argue about it. And yet for those who actually fear lest the utility craze will swamp all things and leave them lying in its wake, there is a moral issue involved. It is their duty, if they believe in real wealth, to stand up for it. With entire truth the Simplifiers

* "English is remarkable for the intensity and variety of the color of its words. No language, I believe, has so many words specifically poetic." —*George Santayana, in "The Sense of Beauty."*

point out that their critics have advanced no reason or valid argument against them. This may be because the lovers of beauty are too sure of her power to enter the lists. It may be because they are but dimly conscious of the reasons for their choice, and are confused between the values that they perceive to arise from habit and those which they know to inhere in the nature of the words. But, whatever the cause of their silence, it is clear that their opposition to the movement is arbitrary and self-justified and unanswerable. It is a difference of will.

There is, however, an allied reason for their opposition which is based upon an interest common to all parties. It is the interest in democratic culture. You can deduce from the examples and quotations given, that our inheritance of poetry and excellent literature will either survive in the old spelling or suffer immense mutilation. Reverence for the classics is the prime conservative element in the growth of language. And I believe that the classics will resist an arbitrary and extensive change in their spelling; they will not be profitably published in the revised forms. If I am right, it is obvious that a great change in the vulgar usage would at once set these monuments aloft out of the market-place. Our best literature could no longer flow in the minds of the people. It would be a written language, the genius of which would have to be learned. Therefore, it would belong to the scholars and the leisure class, as Chaucer already does. That this alienation of literature from lively speech is a peril always imminent, history can teach you. The recasting of our commercial language, by a committee of persons who acknowledge nowhere a tittle of the claims of beauty, is an invitation of this peril. This is proven when it is confessed that the Committee is chiefly opposed by men of letters. Either we will mutilate our inheritance or it will recede from us; a lover of beauty and democracy cannot accede to either alternative. That dilemma, added to an estimation of the immediate values to be lost, leads me, in spite of an irreverent nature and a natural inclination toward the bomb-shell, to turn my back upon this ill-considered revolution.

MAX EASTMAN.

JAPAN'S CRUSADE ON THE USE OF OPIUM IN FORMOSA.

BY K. MIDZUNO, CONSUL-GENERAL OF JAPAN AT NEW YORK.

In the assembling at Shanghai of a Congress, international in its scope, whose aim will be to devise measures for regulating the use, but more especially for checking the abuse, of opium in any form or manner, there is promise of the betterment of conditions in general, but to none, unless it be to the Empire of China, will the work of the Congress be of greater service than to Japan's comparatively new possession, the Island of Formosa.

Though in China Imperial edicts have been repeatedly issued abolishing the opium trade and ordering officials to abstain and to induce others to abstain from its use, they have availed practically nothing. Great Britain is the chief importer of the drug in China, but has given assurance that if China is now in real earnest in the purpose to abolish its use, she will discontinue the trade.

Japan, Formosa, the Philippines, the United States and all other countries having political or commercial interests in China are more or less interested.

In the United States alone, according to the best authentic statistics and the assertions of the conservatives in positions to know, while but 100,000 pounds of opium can be used for medicinal purposes, 500,000 pounds are imported ostensibly for this purpose and an additional 150,000 pounds for smoking. And, further, seventy-five per cent. of the opium brought to this country is put to illicit use.

However, China is the nation most concerned, since it is there that the drug is in universal use and its sale, practically unrestricted, is producing untold havoc to the state, morally, industrially and commercially.

Just what general changes such a Congress will bring about, it is not easy to foretell; but whatever reform such a move creates will be gladly welcomed by none more warmly than by Japan, since the habit of an indiscriminate consumption of this most potent drug can serve for nothing but ill among the natives of Formosa, and thus frustrate the benign influence she so earnestly hopes to exert upon the life of that island. So far as "Japan proper" is concerned, no great benefit can be derived from a closer control of the drug, for the Japanese Government has ever strictly adhered to an absolute prohibition of its sale. Not so, however, in Formosa, because there the conditions are materially different. In "Japan proper" and among the Japanese in Formosa, the tendency towards indulgence in opium is very meagre, and is growing less as new ideas and reforms gradually penetrate into the remoter districts. In Formosa, the population is practically of Chinese origin. As the consequence of the cession of the island by the Chinese Government to Japan, by virtue of the Shimonoseki Peace Treaty in 1895, the inhabitants, by their own option, became naturalized as Japanese subjects. Conditions abound in the island which render the use of opium a menace to all who reside there, and if not controlled bid fair to jeopardize the entire future of the new possession.

Formosa is the southernmost island ceded to Japan by China after the Chino-Japanese conflict of 1894-5. Its area is 14,978 square miles, and, according to statistics of date December 31st, 1907, it has a population of 3,193,708, of which 2,999,214 are of Chinese origin.

Among this great bulk of Chinese population the smoking of opium is universal. The habit is by no means, as is popularly assumed, confined to the male element, for the women are also quite as much given to its indulgence. Its use is an integral part of their lives, engrafted as it is upon their native customs as prominently as are the wearing of the cue and the binding of their feet—two characteristics which identify them as a people separate and apart from any other nation of the globe.

Nor is this most deplorable habit one that prevails solely among those in the lower walks of life. Such classes use it for the comfort to be derived from its unique physiological effect, while the well-to-do and the rich indulge in it because it is a time-honored feature of their social life.

As is well known, the intemperate use of this drug is a menace to the individual, morally, physically and socially, as well as, sooner or later, mentally. These facts, then, suggest a most pertinent question: Why is its use in Formosa not prohibited or at least curtailed? The answer is that its use is being both gradually prohibited and curtailed. Another question arises: Why does not Japan enforce immediate and absolute prohibition? Again the answer is that no power of law, either human or divine, could effectually enforce such a prohibition at once. Besides, to endeavor to do so would be unscientific, regard being had to the natives from a humane standpoint, and quite futile as a means for promoting the advancement of the welfare of both State and people.

Even were not such considerations as these almost unsurmountable barriers to a sudden and absolute prohibition, there is one other which is paramount, *viz.*, the fact that sudden action in legislation on such a matter as this seldom brings about a permanent result. On the contrary, it is the reforms gradually imposed upon a people that retain permanency.

After long, calm and careful deliberation, on the part of the authorities, the conservative opinion was reached that little good —and, indeed, much injury, rather than even a temporary improvement—would result from any course pursued, except one involving slowly acting principles favoring gradual prohibition.

Japan believes it possible to bring about the desired result—finally to eliminate both the use and the abuse of opium in her new possession.

In 1900, the Japanese Government, after mature consideration, set about to put into practical operation the forces which had commended themselves as likely to be effective, and accordingly establish a so-called gradual prohibition which involved certain regulations, some of the objects of which were, first, to place the opium commodity under Governmental monopoly; second, to prohibit non-smokers from acquiring the habit; third, to require the registration of all habitual smokers, who thereafter would be allowed to purchase the drug only upon presentation of a license, this in turn being shielded by legislative rule; fourth, to encourage smokers to abandon the habit; and, finally, to impress upon non-smokers the baneful influences on morals and on all progress which so surely follow in the wake of the habit.

In the brief period of seven years the Japanese Government has been gratified to find, through well and carefully compiled statistics, the signal success its initial crusade has met. The result certainly transcends the most sanguine expectation as to the efficacy of the methods introduced.

In 1900, Formosa had a population of 2,840,873, of whom 165,752 were licensed opium-smokers. In 1907, with a population of 3,193,708, there were but 127,477 licensed smokers. The decrease was gradual year by year, with the exception of a slight increase in 1902 and in 1907, due to a shifting of the population and to a reregistering and the compulsory registration of some habitual smokers who had evaded this requirement of the law.

Early in 1908, still more carefully compiled statistics showed that nearly 10,000 incurable smokers were registered, which (since their indulgence long antedates the year 1900, when the so-called gradual prohibitory measures were introduced, and preceded the compilation of the first statistical report which should have included them) brings the gradual decrease in the number of opium-smokers in Formosa to a point that is indeed very gratifying.

At such a wholesome rate of decrease, it is hoped, and it may fairly be expected, that within twenty years this new insular possession of Japan will be destitute of opium-smokers.

Such encouraging facts as the statistics present strongly confirm the wisdom of adopting a policy of gradual prohibition instead of an absolute and an acute withdrawal, so long as the control thereof rests with an effective administration.

Inconsistent as it may at first appear, the consumption of opium in Formosa is on the increase, the amount reaching as much as some 58,333 pounds. The reason, however, is evident when it is understood that, as the age of an habitual opium-smoker advances, so does the amount of the drug he consumes. The ratio of the age in such cases to the quantity consumed is approximately as one to three.

It is thus seen how the increased quantity consumed by the aged overbalances that which the normal number of new converts to its use would require were there any new converts being added. In other words, were it not for the effect of the prohibitory law now in force, the consumption would be the quantity now consumed *plus* that used by the new smokers.

The entire opium trade of Formosa is under the absolute control of the Japanese Monopoly Bureau. The Bureau's income from this commodity alone is gradually increasing, the amount in 1902 being some 3,000,000 yen ($1,500,000) and in the past year 4,300,000 yen ($2,150,000).

One-half of the revenue of the Formosan Government is the income of the Monopoly Bureau, and the revenue on opium forms one-third of the whole income.

From these facts it is frequently alleged that Japan has a mercenary motive for not making her prohibition of opium in Formosa immediate and absolute; that she deplores the loss of the revenue therefrom which would be placed annually in her coffers. A clearer knowledge of the real facts, it is hoped, will soon satisfy the mind of any but the superficial or the biased that this is quite erroneous. The truth is that the Bureau of Monopoly has been expending annually no less than 3,000,000 yen ($1,500,000), and last year appropriated more than this amount for the purchase of the drug alone. To this sum must be added the expense of its manufacture and refining (since opium cannot be used in its crude state), and other processes of preparation for the market. Further, the cost of registering the consumers, and of the maintenance of a special police service which is indispensable must be taken into account. The recapitulation of these outlays leaves but a comparatively slender margin as the net profit, the amount for 1907 not exceeding 100,000 yen ($50,000), an amount too meagre to influence the state.

The much-mourned civil administrator of the island, the late Hon. Tatsumi Iwai, once publicly stated that the Formosan Government had an annual surplus of from 3,000,000 yen to 4,000,000 yen ($1,500,000 to $2,000,000), and that she would gladly surrender the small income from her opium trade in Formosa even were the profits double what they were. In this statement he voiced the sentiment of every conservative man in the administration.

It is not prohibition in itself that Japan objects to, for, indeed, she longs for the day when opium will have held its last séance in her possessions; but sudden and absolute prohibition she gravely deplores, because only too well does she comprehend that such a policy would frustrate the very result she is laboring

to bring about. To withdraw immediately and absolutely from the victim of the opium habit so potent a factor in his existence would be near akin to the impossible, and quite within the bounds of cruelty, if not criminal.

As statistics indicate, there are to-day 127,000 opium-smokers in Formosa, and nearly, if not quite, all are among the very aged who have been used to its effects for many years. It is very seldom that new converts to its use are found since the introduction of the crusade.

Not what to do but how to do it is the question that confronts those who would forever eliminate the obnoxious and the hurtful from Formosa. The present need is rigidly to enforce registration, and to keep established a license system for those addicted to the use of opium, thereby confining its use to those who could not subsist without it. For the present generation and those oncoming, the superior advantages for the development of a higher civilization that are everywhere being gradually introduced, aided by such precautions as the so-called gradual prohibition project involves, offer every assurance, based upon definite facts, that ere long the wretched habit of the abuse of opium in the Island of Formosa will be a forgotten tradition.

K. MIDZUNO.

DEFECTIVE INSURANCE LEGISLATION.

BY JOHN P. RYAN.

ONE of the important questions sure to come before the Legislature of New York State at its present session is the amendment of the so-called Armstrong Insurance laws. There has been an insistent demand from many sources for material changes in these laws. These demands are now based primarily on the figures and facts accumulated during the period which has elapsed since the laws went into effect. The public has not quite recovered from the shock caused by the revelations of the Armstrong Committee's investigation of the business of life-insurance, although that inquiry is now three years past. Many thoughtful persons and a portion of the press, therefore, hear with evidence of alarm the suggestion that the legislation enacted as a result of that investigation should be substantially amended.

One of the popular lectures of the late Dr. J. G. Holland, written in the early seventies, was entitled the "Social Undertow." The philosophy underlying it was that reforms, like the waves of a rising tide, go beyond the normal high-water mark of real purpose and desired results, and produce evils and dangers which were not anticipated. Has anything of this kind happened in life-insurance?

How has this great business been affected by the Armstrong investigation and legislation? It is impossible, of course, for any one to say definitely and exactly how much of the decline in the insurance business has been due to the abuses which the investigation disclosed, and how much to measures adopted to correct them. We are yet in the period of reconstruction, but there are many and grave complaints on the part of company managers, and these complaints are compelling serious consideration.

Legislation enacted in times of great public excitement very often goes to harmful extremes, and it is soon found to need amendment, even though it may have been in the main wise and beneficial. This is very likely to be the case where legislators are compelled to grapple with a new class of abuses or dangers, which have developed in connection with the growth of a new type of business or a new phase of civilization. Something of this sort is discernible in the practical working of the Armstrong laws.

The Armstrong Committee made its report to the Legislature on February 22nd, 1906, and the legislation known as the Armstrong Laws was enacted under eight different statutes in April. The first act, providing for the election of directors in mutual companies, was amended on May 4th. Under the amended act, the elections were held on December 18th, 1906. The certificate of election of the new Board of Directors, in the case of one of the two large companies affected, was not delivered to the Company by the Superintendent of Insurance until June, 1907. This was not because the vote was close, as the new Board was elected by over 100,000 majority, but because it was a new subject of legislation and the law was faulty. In July, 1907, the amended act was amended.

Three other sections of the law were amended in 1907, and two additional sections in 1908, one of the latter amendments being passed as an emergency measure to enable certain companies to act with other bondholders in reorganization proceedings, freedom of action in the premises having been taken from directors of such companies under a section of the original Armstrong law. A bill amending Section 97, which limits the cost of new business, was passed in April, 1908, and vetoed by the Governor after the adjournment of the Legislature.

That life-insurance has been adversely affected by the Armstrong investigation and laws is shown by analyses of the figures of companies doing business in New York in 1907. The falling off in new paid business by New York companies was $176,000,000 in 1905, $275,000,000 more in 1906, and $113,000,000 additional in 1907, the actual business of the latter year being $446,000,000 as compared with $1,010,000,000 in 1904. Other-State companies show an increase of $42,000,000 in 1905, indicating how much they thrived on the misfortunes of their neighbors.

This gain was changed to a loss of $31,000,000 in 1906, and to a further loss of $32,000,000 in 1907. During the three years preceding 1904, both classes of companies show a gain of $2,285,000,000 of insurance in force. During the three years following 1904, the same companies show a gain of only $747,000,000 of insurance in force.

The Superintendent of Insurance says that the section of the law limiting expenses for new business and defining the objects for which such moneys may be paid has been a cause of constant inquiry and controversy. The effect is declared to be calamitous, in that agency organizations and field forces have disintegrated and thereby demoralized the business of soliciting insurance. Further, he says, that it is alleged the law makes an ill-advised discrimination against domestic companies in limiting them to the standard form of policy, and to one of the two classes—participating or non-participating—while other-State companies are not restricted in either respect.

Eight small companies from other States withdrew from New York when the limitations and restrictions went into effect; one New York company has gone into a receiver's hands; another has reinsured its risks; and a third has ceased to do new business until it can accumulate additional surplus. The total expenses of another company in 1907 were twenty per cent. in excess of the amount allowed by law. One of the small New York companies, which was specially commended by the Investigating Committee, and whose new business was larger in 1906 than ever before, shows a falling off of over forty-four per cent. in new business in 1907.

Using the figures of twenty-five companies doing ordinary business in Massachusetts, it is shown that the figures showing low cost per $1,000 of insurance in force in New York companies and in the other-States group have changed places. Thus, in 1904 these figures were $10.62 and $8.34, respectively, while in 1907 they were $6.48 and $7.11, respectively. Attention may be called also to the wide difference between savings which result from actual economies, which have been considerable, and those accruing through default of business which have been very much greater.

Relative to the "suitable relation" between old and new business, Brown, the Boston authority, has worked out a table show-

ing the effect upon different companies of writing more or less than $100 of new business for each $1,000 of business in force. He says:

"The facts brought out in the table on these lines are of peculiar significance from an economic point of view, as well as with reference to certain theoretical fallacies of recent enactment into law, as witness the following classification of results:

"(*a*) Of thirteen companies writing less than a ten-per-cent. volume of new business, nine lost business from their books in greater or less amounts, the saving in expenses as shown by the ratio being comparatively inconsequential.

"(*b*) In the case of the three leading companies a ten-per-cent. volume would have meant a gain of $88,975,000 in insurance in force as against an actual loss of $125,000,000, with an average expense ratio of $6.65 as against $6.18 actual, the difference of forty-seven cents being the proportional expense equivalent for a net difference of $213,975,000 in written business.

"(*c*) Twelve companies wrote $402,161,000, averaging 13.1 per cent. in volume, actual expense ratio $7.23 as against $6.98 on a ten-per-cent. basis, the difference of twenty-five cents being the expense equivalent of a relative gain of $94,341,000 in insurance in force. . . .

"(*d*) And finally: taking the figures of the companies as a whole, it will be seen that an all-round average of ten per cent. in volume would have meant $144,667,000 more business on the books at an additional cost represented by an increase of but twenty cents (per $1,000) in the expense ratio proper.

"All this when boiled down means that there can be no true economy in business transactions below the normal, or from which little or nothing is gained. Healthy expansion is an economical necessity, and no volume of business procured by proper methods and with due regard to quality can be too large. Within reasonable limits, its cost is in the nature of an investment rather than expense. Of this kind, moreover, is the business that stays, and by the same token the business that pays. Its inherent earning power will speedily recoup its cost, and in proportion as it remains on the books all concerned are partakers in its benefits."

The Armstrong legislation may be grouped, with respect to the subjects treated, under the following heads: (1) control of the companies; (2) investments; (3) *sub-rosa* methods; (4) limitations—with respect to contract forms, volume of new business, expenses incurred, amount of surplus held.

The investigation was primarily caused, as every one knows, by scandals which came to light with respect to the control of a prominent stock company. The investigation disclosed the

fact that the policy-holders of mutual companies, who in theory elected the directors, took very little part in such elections and were offered few facilities for doing so.

To remedy this state of things, policy-holders in stock companies, whether stockholders or not, were made eligible as directors; such companies were authorized to give policy-holders the right to vote for directors; and provision was made whereby such companies might retire their capital stock and become mutual companies. The directors of all mutual companies were legislated out of office, and new elections were ordered under provisions of law which offered every facility for voting and for combined opposition to those in control, if such opposition existed among the insured.

No changes have been made in the control of stock companies under these provisions of law. The real work of former managements was found to be sound and effective and a new and higher standard of trusteeship has been developed, so that whatever was unethical has been discarded.

With respect to investments, the new legislation sought to end three methods which had either resulted in serious losses to the companies or which, it was held, were liable to do so. These were: the ownership or control of subsidiary corporations, which virtually subsisted upon the parent company and through which, by stock ownership, officers and directors were making large profits; the holding of real estate beyond the necessities of the companies' business requirements; and syndicate operations in the purchase and sale of securities, which were a dangerous enlargement of the functions of a life company as an investor. The remedial measures adopted were: provisions of law compelling the sale of all stocks, within five years from December 31st, 1906, and forbidding further investments in stocks; the sale of all real estate not required for the convenient transaction of business, within five years after acquiring the same, or after it shall be found unnecessary as above; and a prohibition of all syndicate operations and of all agreements with respect to security holdings.

With respect to real estate, discretion is allowed the Superintendent of Insurance to extend the time for such sales, in case it shall appear that a company's interests will suffer materially by a sale within the period fixed by law. No such option, however, is allowed with respect to the sale of stocks, in which such

reductions as may be approved by that officer must be made in each year. The holdings of the companies, which must be liquidated prior to December 31st, 1911, appeared in their reports for December 31st, 1906, as having a par value of $58,988,635 and a market value of $127,334,751. Reports for December 31st, 1907, show holdings having a par value of $58,257,510 and a market value of $102,481,412. It appears, therefore, that the companies sold less than a million dollars, par value, of stocks in 1907, but that there was a reduction of nearly twenty-five millions in the market value of their holdings.

Insurance men say that comparatively few stocks were sold during 1908, which leaves the bulk of them to be liquidated during the next three years. These securities were purchased in good faith, when they were legal investments, and their subsequent outlawry and compulsory sale unquestionably involves a hardship for the companies. It is conceivable that a security once authorized might wisely be withdrawn from the list available for further investments, but the present requirement is an entirely different proposition, and the companies are likely to insist upon a ruling of the courts before obeying it.

What has been termed "*sub-rosa methods*" included political contributions, secret lobbying, payments without proper vouchers, rebates and incomplete and misleading reports. All these were forbidden, and it was made obligatory upon the Superintendent of Insurance to examine every company once in three years. Policy-holders were also given authority to sue in their own names for an accounting, if dissatisfied, and complaints of policyholders may be made the basis of special examinations at the option of the Superintendent. To the mandates of the law under this head no objection has been made, and the companies have been actually delivered from burdens which had been in part forced upon them.

Serious objections have been raised to the limitations imposed on policy forms, volume of business, expenses and surplus. The limitation most complained of thus far under this head is that forbidding any New York company to issue both participating and non-participating policies. It has been always a question whether it was better to take the lower-priced policy without any share in surplus earnings, or pay more and get back the difference between the assumed and the actual cost. A few stock companies

have made a specialty of non-participating insurance, but most of the companies have heretofore offered both. That New York companies cannot now do so places them at a disadvantage in competition with companies from other States, which are allowed to write both these forms of insurance under any form of policy they choose. In other words, the law limits New York companies, but leaves other-State companies free. If the law is for the protection of the insurer, then it would seem that only policies approved by the law should be issued in the State; and, if it is for the protection of New York companies, then it would seem that they should be allowed the same privileges as are accorded to companies from other States.

If we did not know exactly the reasoning that guided the Committee in framing the restrictions upon the amount of new business a company may do, we should be utterly at a loss to account for the principle, here for the first time enacted into law, of restricting a business which every one concedes to be beneficent in its nature and of great value to the State. The Committee declared that the business of three of New York's largest companies had grown "beyond reasonable limits"; that no useful purpose would be served by their becoming larger; and that their magnitude, if permitted to grow unrestricted, would soon become "a serious menace to the community." They found that their new business in 1904 averaged over $262,000,000 each and their terminations over $143,000,000 each; they, therefore, determined to limit their new business to $150,000,000 per year.

This put the large companies out of the running. Then the Committee expressed its conviction that "the release of the smaller companies from the strenuous competition of the larger ones would result in a severer rivalry among themselves," and that, "to secure their normal and not too hasty growth, proper limitations should be applied to them as well." This result they declared could be accomplished "by requiring that the new business should bear a suitable relation to the amount of business already in force." This "suitable relation" was thereupon decided to be a different ratio for companies of different sizes. Companies having less than $50,000,000 of insurance in force were not limited at all; companies having between $50,000,000 and $100,000,000 in force were limited to thirty per cent. thereof; companies with between $100,000,000 and $300,000,000 in

force were limited to twenty-five per cent. thereof; companies with between $300,000,000 and $600,000,000 in force were limited to twenty per cent. thereof; and companies with between $600,000,000 and $1,000,000,000 in force were limited to fifteen per cent. thereof. It was further provided that no company should write in excess of one hundred and fifty millions in any calendar year. There was one exception to this scale; a company whose business was more than half industrial was to be allowed to write ordinary business to the amount of fifty per cent. of its old ordinary business, but not exceeding one hundred and fifty millions a year.

These "suitable relations" of new to old business are founded upon strange reasoning and lead to strange results—for example, that a company with less than fifty millions of insurance in force needs no limitation in order to secure a "normal but not too hasty growth," but that a larger company needs a limitation for the same purpose; that the "suitable relation" is different with companies of different sizes, and still different in case of a company doing both ordinary and industrial business. Application of the law gives the following results: Every time a company, in its "normal but not too hasty growth," passes from one class to the next larger, not only does the "suitable relation" become a smaller percentage of old business, but the actual amount of new business allowed becomes smaller. Thus, in passing from the first limited class to the second, a company's annual output would be cut down about $5,000,000 or sixteen per cent. of the amount allowed in the preceding year. In passing from the second class to the third, a company's annual output would be cut down about $15,000,000; and in passing from the third class to the fourth, it would be cut down about $30,000,000. In the latter case, the reduction would be about twenty-five per cent. of the business of the preceding year.

The conclusions of the Committee that the large companies are large enough, and that their new business should be practically limited to replacing terminations, can be understood, possibly; but the limitations upon other companies defy all logic and are entirely arbitrary. They are not only arbitrary, but they are contrary to the ordinary principles of an increasing business, and cannot possibly secure the "normal growth" which the Committee professed to desire.

There was no subject upon which the Committee set out with more just observations or fairer promises than that of expenses; and there was none upon which they departed so radically from the principles which they had enunciated. This is what the Committee said:

"The Committee deems it inadvisable to recommend that the Legislature attempt to prescribe the expenditures of insurance corporations. The Legislature cannot undertake the management of the business. In seeking to secure economical administration, it should not overstep the line which divides suitable State supervision from an utterly impracticable effort to prescribe details. The Legislature should aim to permit freedom of management subject to general regulations and complete publicity."

The following are the limitations *imposed* and the details *prescribed* by Section 97 of the Insurance Law:

Total Expenses: Limited to (1) actual loadings upon premiums received; (2) actual investment expenses (not exceeding one-fourth of one per centum of the mean invested assets); (3) taxes on real estate and other outlays exclusively in connection with real estate, and (4) the present values of the assumed mortality gains during the first five years of the insurance, on the assumption that such gains will equal the following percentages of the table rate: for the first year fifty per cent., for the second year thirty-five per cent., for the third year twenty-five per cent., for the fourth year fifteen per cent., for the fifth year five per cent.

Expenses for New Business: Limited to (1) the total loadings upon the premiums for the first year of insurance received within the year; and (2) the present values of the assumed mortality gains for the first five years of insurance on the policies on which the first premium, or instalment thereof, has been received during the year as above described. First year's expenses are declared to include (*a*) commissions on first year's premiums, (*b*) compensation, not paid by commission, for services in obtaining new insurance, exclusive of salaries paid in good faith for agency supervision; (*c*) medical examinations and inspection of proposed risks, and (*d*) advances to agents.

Renewal Commissions: Limited to (1) five per cent. of the premium for nine years after the first year in case of endowment policies providing for less than twenty annual premiums; (2)

seven and one-half per cent. of the premium for nine years in the case of other policies, provided that these values may be commuted on a basis approved by the Superintendent and distributed through three or more years, but not more than two-fifths of such amount to be paid in any one year; provided, further, that in any agency district, subject to the supervision of a local salaried representative, renewal commissions shall not exceed two-thirds of the foregoing rates annually for nine years; and also provided that not more than two per cent. may be paid for the collection of premiums in any year after the tenth year of insurance.

Further Limitations: No bonuses, prizes or rewards, nor any increased or additional commissions or compensation of any sort based upon the volume of any new or renewed business, or the aggregate of policies written or paid for, are allowed.

In the light of these numerous and specific limitations, it would be interesting to know what the Committee would have considered an "attempt to prescribe the expenditures of insurance corporations," and what it would have regarded as "an effort to prescribe details."

Limitations placed upon total expenses were evidently suggested by the nature of the contract. The "loadings" are added to the estimated net cost of insurance for the express purpose of providing for expenses and contingencies, and in a well-established mutual company they are sufficient. But, in a young company and in a non-participating company, it is different. A young mutual company uses nearly all its expense fund in getting new business and has too little left for administrative expenses; while a non-participating company, with its smaller "loadings," is severely handicapped. There are other legitimate resources which are available for expenses in such companies, such as the gain on lapsed and surrendered policies, and excess of interest over that required to maintain reserve. To limit the non-participating company to the loadings and mortality savings is virtually to compel it to save all other margins for distribution to stockholders.

A well-considered limit to total expenses might be justified on the ground that the State is in duty bound to find some proper basis of competition, as well as to compel such accumulations as will insure the fulfilment of contracts. But many will hold

that beyond this the State has no right to go. In undertaking to say what a company shall pay for new business and how it shall pay it, the State virtually fixes the wages of agents and undertakes to manage the details of the business. State supervision really has nowhere else gone so far on the road toward socialism as it has in the Armstrong laws.

It is instructive to note in this connection how the Committee justified the limit imposed on expenses for new business. It selected from the thirty-two companies making their reserves on the full net premium basis the three whose expenses for new business showed the lowest percentage to first year's loadings and mortality gains; and, having ascertained that such expenses would come within these two items if the mortality gains of the four following years were included, it assumed that a proper standard had been found. But methods of compensating agents are different in different companies; one pays larger first year's commissions and smaller renewals; another pays smaller first year's commissions and larger renewals. It may amount to the same in the end, or the company which makes the better showing on first year's expenses may pay more in the end.

A comparison of the Committee's three "model" companies with the three largest New York companies known as the "giants" shows the following results: Percentages of renewal commissions to renewal premiums in the "models" in 1904 were 7.68 per cent.; in 1907, 7.74 per cent.; in the "giants" in 1904, 4.93 per cent.; in 1907, 3.34 per cent. Renewal commissions are paid through a series of years; first year's commissions are paid but once. The percentages of actual expenses for new business in 1907, to the amount available for new business under the law, were: in the "models" 91.8 per cent.; in the "giants" 88.8 per cent. The percentages of total expenses to the amount available or total expenses under the law, in 1907, were: in the "models" 64.5 per cent.; in the "giants" 59.8 per cent. The expenses per $1,000 in 1907 on business in force January 1st, 1907 (that is, total expenses less expenses for new business), were: in the "models," $4.44 per $1,000; in the "giants," $3.35 per $1,000. So models change with a change of view-point.

The limitations with respect to new business and expenses became operative on January 1st, 1907, and the results of the year were so disastrous that the Legislature of 1908 was petitioned for

relief. After much discussion, a bill was passed by the Legislature amending Section 97 as follows: (1) the cost of medical examinations and inspections of proposed risks was excluded from the items chargeable to first year's expenses; (2) first year's commissions were limited to fifty per cent. of the premiums; (3) the number of renewal commissions allowable was increased from nine to fourteen, but the rate of the last five was made five per cent. on both classes of policies; (4) increased compensation over that agreed upon, but within the limitations of the law, based upon volume of business renewed, was allowed; (5) collection fees allowable were made three per cent. after fifteen years instead of two per cent. after ten years; (6) a company was allowed to compensate its agents, or any of them, in whole or in part, by other methods to be approved by the Superintendent of Insurance, provided the value of the aggregate should not exceed the value of the aggregate allowed under the law either in the first year or thereafter; (7) any New York company originally organized as an assessment company, but now doing business on the legal-reserve plan, was to be exempt from the provisions of the law respecting total expenses until January 1st, 1912.

Each of the numbered clauses above has a history, and was designed to correct some inequities in the original law—so difficult is it to legislate with respect to the details of any great business. The bill was a compromise; it embodied the minimum of relief asked for by the companies, and was supposed to be acceptable to the Executive. It passed by a practically unanimous vote, but was vetoed by Governor Hughes, after the adjournment of the Legislature, chiefly on the ground that its principal feature, "(1)" above, "would permit unwarrantable outlays and facilitate a return to the injurious conditions of past years." The report of the Superintendent of Insurance, since published, covering the business of 1907, shows that this item, in the companies doing an ordinary business, was about fourteen per cent. of the total expenditures for new business, and about two and one-half per cent. of total expenses. It was included in general expenses in the proposed amendment of the law on the ground that these charges were incurred by the companies in efforts to obtain new business, and must be paid whether the risks proved acceptable or not.

A paternalistic regulation of details was attempted. A stand-

ard policy was adopted embodying the best features of existing policies, and the issue of others inconsistent therewith was forbidden. A standard of expense was adopted including so many details that the companies are hampered and agency systems disorganized.

The standard policy requires distribution of surplus annually as earned; publicity provisions require an annual statement of dividends paid under each class of policies. Under a standard policy, competition between companies in good standing will, therefore, hinge chiefly upon the amount of surplus returned, and every company will be likely to return as much as possible with due regard to safety. The danger will be that too much will be returned rather than too little. But the Committee was still dominated by the fear of big things and placed a limitation upon surplus.

Propositions are sometimes made which are so unjust as to excite indignation and protest; others are made which go to such extremes as to excite ridicule—it is not possible to believe that they are made upon due consideration and in good faith. That proposition of the Committee with respect to the limitation of surplus excited ridicule. It recommended the limitation of surplus according to a sliding scale of percentages of policy liabilities, beginning with twenty per cent. for the smallest company and gradually diminishing until, for a company with policy liabilities of $500,000,000, *it should not exceed two per cent.* The supposition that the contingencies for which surplus provides would diminish in inverse proportion to the size of the company, and that two per cent. would cover them in any company, is obviously absurd. Yet the Committee was in earnest, and was with difficulty persuaded to make the lowest limit five per cent.

Declines in the market values of securities in 1907 were so great that a conference of Insurance Commissioners, called for the purpose, declared itself "as favoring an average value for the year 1907 by taking the mean of market prices on the first day of each month in the year and the 31st day of December, and dividing the aggregate by thirteen," except in cases where exceptional facts warranted a departure from the rule. The stocks and bonds of twenty-eight companies doing business in Massachusetts in 1907 showed a depreciation, including profit and loss, of $112,747,104, being 4.6 per cent. of policy liabilities

and 7.68 per cent. of the book value of such securities. In seven companies there was an aggregate depreciation of $92,080,893, being 6.13 per cent. of entire policy liabilities and 8.32 per cent. of the book values of the securities themselves.

In Great Britain, where practical life-insurance had its birth, there are a few general laws for its regulation. They forbid wager policies, require a small deposit with the Accountant General of the Court of Chancery, provide for valuations of policy liabilities, define the rights of the insured, and require the deposit of annual reports with the Board of Trade. These reports are of such a character as to enable the insured to form a judgment respecting the soundness of the companies, and the examples of dividends paid indicate the economy with which they are managed. During the excitement in this country over the Armstrong Investigation, the House of Lords inquired into the general subject of Life-Insurance Companies by a Select Committee which reported in July, 1906. Two of its recommendations were:

"(5) The Life-Insurance Companies Act of 1870 seems, on the whole, to give general satisfaction, inasmuch as it insures a full measure of publicity in the accounts of all British Insurance Companies and gives ample legal remedies to policy-holders."

"(7) The Committee believe that experience has proved that the best means of guarding the interest of policy-holders in all Insurance Companies is by insisting on the fullest openness in the accounts of such Companies."

State supervision in Germany and in Switzerland is more thorough than it is in any State in the Union—that is to say, the methods adopted and the reports required are more comprehensive and scientific, and results arrived at are more significant. But in none of these countries are there any such paternalistic conditions imposed as under the Armstrong laws. In Germany, commissions on new business are limited to two per cent. of the amount insured, but there are no other limitations on expenses and none on new business or surplus.

American life-insurance—especially that part of it which is done by New York companies—appears to be suffering from too much legislation, some of it at least based upon fear and arbitrary opinion, rather than upon well-considered principles of State supervision.

JOHN P. RYAN.

NEW BOOKS REVIEWED.

BY WALTER P. EATON AND EDWARD PORRITT.

"THE WINTERFEAST."*

THE motto of Charles Rann Kennedy's new play, "The Winterfeast," might well be taken from Coventry Patmore's "*Magna est Veritas*":

> "When all its work is done, the lie shall rot,
> The truth is great, and shall prevail,
> When none cares whether it prevail or not."

Indeed, there is a hint of resemblance between Patmore, the Catholic mystic, and Mr. Kennedy, the Socialist. Both have an ironic kind of humor that may break forth at any time to the distress of the literal-minded; both have a preoccupation with symbols; above all, both are prone to push a point to the verge of extravagance in the interests of a moral idea. In "The Servant in the House" Mr. Kennedy wrought with temperance, however, and produced a play emotionally effective and morally sound and sane. In "The Winterfeast" he has wrought to less effect because of his too great preoccupation with the moral idea. In his effort to drive home the lesson that a lie breeds trouble and tragedy even unto the second generation he has pushed even truth of incident, even probability of external events, off the stage, and involved his characters in an arbitrary and artificial chain of circumstances. In "The Servant in the House" the beauty of truth and love was illustrated by a change in the characters themselves. In "The Winterfeast" the ugliness of lies and hatred is illustrated not by any change in the characters, but by external evils arbitrarily thrust upon them. That is why, primarily, it seems to me, "The Winterfeast" must take a lower

* "The Winterfeast." By Charles Rann Kennedy. New York: Harper & Brothers.

place, even as closet-drama, than Mr. Kennedy's earlier printed play. (In actual writing, I believe, "The Servant in the House" is the later.)

But that is not to say "The Winterfeast" does not amply repay reading and study. Its scene is Iceland, its time, 1020 A.D. It will thus recall to many Ibsen's "The Vikings at Helgeland," not for any similarity in dramatic theme, but because Viking dramas are so few, plays of this grim, stormy, bloody age of fighting folk, under a hard northern darkness. In dramatic theme, at any rate in dramatic method, it will rather for two acts recall Ibsen's mature tragedies, as they in turn recall Sophocles. Mr. Kennedy in the first acts of "The Winterfeast" reveals himself as the born dramatist. He seizes his story after a long antecedent train of circumstances has brought the tragedy to head, and in a supposed space of time coincident with the time of performance makes clear what has gone before while unfolding his catastrophe. The exposition of past events occupies but a part of act one. It is made in the most difficult and masterly fashion; it is made in a scene between two men who are themselves in dramatic struggle even while they explain the plot. When the exposition has been made the reader or auditor is not so much aware of what has taken place as tinglingly expectant of what is to come. Here is dramatic writing of the highest order, writing that should be studied by every budding dramatist.

The antecedent story is this: Thorkel, an old Viking, twenty years before took Bjorn, his warrior foster-son, away on an expedition to "Vineland"—presumably America—that Herdisa might be weaned from love of him to love of Valbrand, a skald, Thorkel's blood son. Thorkel made his way back to Iceland alone, after many adventures, and thinking himself the only survivor of the expedition, told his one lie. He told Herdisa that Bjorn had sent her a message of hate. In a passion she married Valbrand immediately. By him she had a daughter, Swanhild. The curtain rises on this family twenty years later. Thorkel has a traditional enemy, Ufeig, a priest, who in some manner not explained has come into knowledge of the ancient lie. We see him binding Thorkel to a peace by threats of exposure, and binding Valbrand to peace also by telling him the secret of his false winning of Herdisa. Of course, Bjorn comes back. He enters out of the black night, out of the mystery of the past, as un-

aware of the lie as Herdisa. Her he still loves; him she still hates for his supposed ancient flaunting of her. Only the husband, the father and the priest, know the truth. The family feast, all at cross purposes. There is the sense of impending revelations, catastrophes, in the air. Finally Herdisa and Bjorn are left alone. Now, you think, the truth must out at last! You tremble to fancy how this warrior Bjorn will roar when he learns of the lie. You wonder what effect it will have on Herdisa's attitude toward her husband, toward her ancient lover. Will it drive her to sin or to despair? But the truth does not out. In the most arbitrary manner, contrary to all common sense, to all human character in any land in any age, Mr. Kennedy causes Bjorn, though he discovers a lie has been told, utterly to fail in telling Herdisa it was a lie, in explaining what message he did send to her, in making any effort whatever to straighten out the tangle. She blunders on in what is now unexcusable darkness, not the darkness of Fate, but of the dramatist, and sends her husband forth to kill her lover. It is at this point that "The Winterfeast" as a stage work goes to pieces. With splendid power and directness it brings its action to a crucial situation—and then disappoints all reasonable expectation, violates all probability, and by striving too hard to suggest the fatality of circumstance misses fatality altogether.

From this point on to the end each catastrophe is conditioned by some misunderstanding, some arbitrary physical circumstance, swords shifted, relationships unrecognized—a tangle of artificial plot that has nothing to do with human wills, with the expression of character. The reader can follow the story well enough; the spectator in the theatre is quite bewildered by its complexity and soon loses interest. As death on death piles up, supposedly the result of the initial lie, he begins to suspect they are rather the result of arbitrary and improbable dramatic structure, and they cease to be tragic for him. By failing at the end of his second act to trust his characters, to let them do the natural thing, of which the consequences would surely have been quite as tragic, if swifter, Mr. Kennedy has failed to make his play effective in the theatre. He has broken its back in the middle.

"The Winterfeast" is written in William Morris English—that is, with a smattering of archaic words and inversions to give it requisite atmosphere. There are some good people whom

this always offends. Undoubtedly for proper appreciation it requires a literary background in the reader's consciousness. The play is written with but one spark of humor, which seems rather a pity, since Mr. Kennedy's humor is of the ironic sort that would have fitted well with his theme. There is tragedy in humor; recall the Hostess's description of Falstaff's death in "Henry V"! It is written, of course, in prose, but in prose that falls at times into stretches of almost unbroken iambics and is divided now and then into balanced dialogue which seems dimly struggling for musical accompaniment. Witness, for instance, this passage between Bjorn and Herdisa, as they call back a tense scene out of their past:

"HERDISA: Lo, there, the mighty chieftains and the thronging of the folk! . . .

BJORN: The flashing of great battle-axes and shields upon the walls! . . .

HERDISA: Swords aloft, like deadly flames of war! . . .

BJORN: Beakers afoam, with gladness of the mead! . . .

HERDISA: There was a cry rang forth from the heart of man to man! . . .

BJORN: And the joyous thunder of great voices lifted loud in praise! . . ."

Even in the reading, even building with the imagination from meagre stage directions, without the aid of Miss Edith Matthison's glorious, deep voice and tragic eyes and Walter Hampden's Viking height and sonority, the room in which all the action transpires is peopled with barbaric figures, shelters a red inglenook walled in from the black dark and storm of a frozen north, echoes to the clamor of great swords, is grim with the blood and hate of a vanished age. There is power, imagination, the dignity of a fine purpose behind this drama. It would stamp the author as a man to be reckoned with, had he never written "The Servant in the House."

Indeed, to the critic who looks more than at a play's momentary acceptance by a Broadway audience, Mr. Kennedy's very failures in "The Winterfeast" are tokens of a knowledge and an ideal transcending the usual playwright's aims or powers. Readers of "The Return of the Native" will remember what an appalling sense of blind, cruel Fate was imparted by the circumstances of Mrs. Yeobright's death. Merely because Eustacia thought

Clym was awake when he was asleep, and so did not answer the mother's knock, a woman's heart was broken. Greek drama, of course, is full of Fate's apparent capriciousness, though the Greeks did as Mr. Kennedy strives to do—made Fate the agent of a moral law. The effect which Hardy achieved, which the Greeks achieved, Mr. Kennedy has striven for in his latest play. That he has not quite found it is perhaps of less consequence in our too often trivial American theatre than that he has dared to make the effort. He has erred in execution, not in intention. He has made Fate too capricious, so much so that its caprice becomes a perverted law of his drama. The moment came for his characters to take Fate into their own hands, and they did not do it; thereafter they cease to interest as human beings. But his aim was high, even his partial accomplishment a sign of better things on the American stage.

WALTER PRICHARD EATON.

THE REVOLUTION IN PARLIAMENTARY GOVERNMENT IN ENGLAND.*

Two recent statements of English Parliamentarians, one by Mr. Asquith in the House of Commons on July 31st, and the other by Mr. T. G. Bowles at the annual Constitutional Congress in London on August 8th, 1908, admirably make plain the task which Professor Redlich has accomplished with so much success. Professor Redlich's success in his great and self-imposed task of writing "The History of Procedure of the House of Commons" is indeed so marked that Sir Courtenay Ilbert, the Clerk of the House, in his introduction to Mr. Steinthal's translation, begins with the statement "that it has been left to an Austrian scholar to accomplish a piece of work which some competent Englishman ought to have undertaken long ago," and "to fill a conspicuous gap in English constitutional literature."

The first half of the Parliamentary session of 1908 began on February 3rd and came to an end on July 31st. The House met on the 12th of October for the second half of the session; and it was on the eve of adjournment for the recess, on July 31st,

* "The Procedure of the House of Commons: A Study of its History and Present Form." By Josef Redlich. Translated from the German by A. Ernest Steinthal. With an Introduction and Supplementary Chapter by Sir Courtenay Ilbert, K.C.S.I. Three Volumes. Pp. xxxix., 212, 264, 334. Archibald Constable & Co., London.

that the Premier moved the resolution which is of significance in connection with Professor Redlich's book. Mr. Asquith's motion was:

> "That for the remainder of the session—that is, from October 12th to the end of the session of 1908—Government business should have precedence; and that at the conclusion of the Government business on each day the Speaker should adjourn the House without question put."

By this motion, which was carried without a division, it was determined that only Government business should come before the House in the remaining weeks of the session, and that in these weeks private members should be accorded positively no opportunities for advancing bills of which they were in charge that had passed their earlier stages in the first half of the session.

> "'The effect of the closure and the guillotine,' said Mr. Bowles, in a speech made at the Constitutional Congress, 'was that the House of Commons had ceased to be a deliberative assembly. It was hurried and hustled through bills which it had scarcely seen, much less considered or debated, and had become little more than a register of the will of the minister. It had consequently ceased to be the object of the public interest which had once attended its proceedings. The Prime Minister was no longer the minister of the King. The King was rather his minister. The most striking features of modern constitutional practice were the greater preponderance of the Prime Minister and the decrease of the liberties of the House of Commons.'"

Less than thirty years ago Mr. Asquith or any other leader of the Government in the House of Commons could not have proposed such a motion as that submitted on the eve of the autumn recess; and it would have been equally impossible for any experienced and responsible Parliamentarian, such as Mr. Bowles, to have made the statement concerning the closure and the guillotine and the preponderance of the Prime Minister in the internal economy of the House of Commons. As recently in English history as the first assembling of the Parliament of 1880-85—the second Parliament in which Gladstone was Premier—there was no closure rule; private members' rights, as they had been developed and recognized in the preceding centuries, had scarcely been curtailed or impaired; and Government control over the time and work of the House was little more complete than when Lord John Russell, Lord Althorp and Sir James Graham were piloting the Reform Act of 1832 through the eighteen separate stages which then awaited a bill in the House of Commons. Between

the first session of the Parliament of 1880-85 and the third session of that elected in 1906, by resolution or vote of the House, with no action by the House of Lords, and no assent by the Crown—by a few changes in the rules in this session, and a few more in the next—there had been brought about a change in the working of the British Constitution which amounts almost to a revolution.

In this period, which covers less than thirty years, there had been a development well-nigh as significant and as far-reaching, as that which took place in the sixty years which followed the Revolution of 1688, when the system of Government by Cabinet was slowly evolved. Professor Redlich describes this evolution as a committee of the House of Commons and of the House of Lords representing the political party having a majority in the Commons which came into being to stand between Parliament and the Crown, and which gradually drew to itself the large and varied powers which to-day are exercised directly or indirectly by the Prime Minister and his Cabinet.

It was left to an American student of English constitutional history* to trace in detail the changes and processes by which in the eighteenth century the Cabinet came into existence; and, as Sir Courtenay Ilbert reminds students of British constitutional history, it has been left to an Austrian scholar to make intelligible the process by which the Prime Minister in 1908 has become supreme in the House of Commons, and now exercises there the enormous powers to which Mr. Bowles complainingly referred at the Constitutional Congress.

This revolution in procedure of the House of Commons did not really have its beginnings until 1879 or 1880. Some changes in procedure were obviously necessary as early as 1833, when the reformed House of Commons settled down to work, and claims on the time and attention of Parliament due to the extension of the franchise in 1832 began to increase. A few changes were made between 1832 and 1879. None of them was of moment; and it was not until the Irish Nationalists, under the lead of Parnell and Biggar, so developed the art of obstruction in the closing years of the Parliament of 1874-1880 and the early sessions of that of 1880-85, that deadlock confronted the Government and the House, that momentous changes in the rules of procedure began.

* "The Development of Cabinet Government in England." By Mary Taylor Blauvelt, M.A. New York: Macmillans. 1902.

Professor Redlich might well have begun at 1867. He might have taken the Reform Act of that year as his starting-point; for it was the extension of the suffrage to all householders in the boroughs of England, Scotland and Ireland in 1867 which made the Home-Rule movement, led first by Butt and later by Parnell, a factor in the House of Commons at Westminster, and a force which both Conservative and Liberal Governments for self-preservation's sake were compelled to curb. But with a thoroughness and scholarly care which are the marked characteristics of his work, Professor Redlich has gone back to the very beginnings of the House of Commons; and with the aid of a chapter covering the years 1905-07, contributed by Sir Courtenay Ilbert, he has written the history of procedure from the time of the Rolls of Parliament—1278 to 1503—down to the session of 1907, when there were further changes in the rules intended (1) to economize the time of the House; (2) to give the Government more control over the time and business of the House; and (3) to enable the House to adapt itself to altered social conditions due to the incoming in 1906 of an increasing number of middle-class professional and business men and of fifty or more direct representatives of labor.

One remarkable fact in the history of procedure between 1278 and 1879 is that except for some minor changes made after 1832, such as an estop to speeches when members presented petitions, the ruling out of order of discussion at first-reading stage of a bill, and the conferring upon Government to a limited extent of a right of way for supply, the rules on which the House of Commons was working from 1867 to 1879 were in the main the rules which had been devised in the far-away period between the reign of Henry V and the beginning of the Journals of the House in 1547. In this year Edward VI assigned to the Commons as their meeting-place the beautiful chapel of St. Stephen's; and it was in this chapel that the House held its sessions until the fire of 1834, which demolished the chapel and a large part of the old and famous palace of St. Stephen's. In the reigns of Henry V and VI legislation by bill—that is, according to the present form at Westminster—had been gradually substituted for legislation by petition, which was the earliest method of procedure. The Journals of the House were begun when the Commons migrated from the Chapter House at Westminster Abbey to St. Stephen's; and

some time between the adoption of legislation by bill and this migration of 1547 there had come into service the present-day procedure of reading a bill a first time as a formal stage, reading it a second time that its principle might be accepted by the House, sending it to committee for consideration of clauses and details, reporting it back to the House, and finally reading it a third time, before it was sent to the House of Lords, for almost exactly similar stages there, and then for the Royal Assent.

As far as can be ascertained from the Journals and existing records of debates and from political memoirs, the need for changes in procedure was never recognized or discussed in the House of Commons until the eve of the Reform of 1832. The ancient rules worked smoothly and well, because as long as the old nondescript and corrupt electoral system survived six-sevenths of the members of the House were quite indifferent as to what their constituents thought of their conduct in Parliament. Sessions in those days were short indeed as compared with present sessions. Until the second and third decades of the nineteenth century, there were no popular and long-sustained demands for legislations, no great measures of constitutional or administrative reform which engaged the House for weeks or even months at a time and aroused a corresponding degree of popular interest outside the walls of St. Stephen's. Until political life in England began to quicken—that is, until the long struggle with Napoleon was at end, and the newspaper press began to be a power—there were no demands from the Irish members. The forty-five members from Scotland at this time were always able to secure with ease and expedition any legislation for Scotland on which they were agreed. Few English members had any disposition to Parliamentary activity that they might stand well with their constituents. Fewer still took a continuously active interest in public business. This, moreover, was the period in which the governing classes were in the heyday of their power; in which the principal business of the Government of the day concerned defence, police and administration; and when the finance bill was usually the most important enactment of the session.

Need for change in the rules, especially for changes which would economize the time of the House, began to be admitted as soon after the Reform Act of 1832 as 1837. But, although there were investigations of procedure by select committee in 1837 and

again in 1861, 1869, 1871 and 1878, there were no important changes until the highly systematized and continuous obstruction of the Irish members in the early years of Parnell's influence in the Home-Rule movement brought matters to a grave crisis and compelled the House, under the lead of the Government, to some remodelling of its ancient procedure. Since the first cautiously made changes in the rules in 1879, numerous more radical changes have followed; and it is for this period that Professor Redlich's work is of chief value to Parliamentarians, and to students of the history and working of representative legislative institutions. It has this value because there is not in print in any language any other book from which the why and the wherefore of the recent great reforms in procedure at Westminster can be learned. In Professor Redlich's pages, where he brings the history down to 1905, and in Sir Courtenay Ilbert's supplementary chapter, there is an examination of the circumstances which forced the House to make these changes. There is also an exposition of how these changes have accelerated the important business of raising and appropriating supply and general legislation for which the Government has assumed responsibility; of how private members' opportunities of carrying measures through Parliament have now been tapered off almost to the vanishing-point; and of how the changes in the rules giving the Government almost complete control over the time-table and business of the House have revolutionized the relations of the House to the Government.

Control of the time of the House by Government has been secured (1) by means of rules which make it possible for the Government to determine the exact time that shall be set apart for discussions in committee of supply and also the date by which all supply shall have been voted; (2) by rules which give the right of way to Government business; and (3) by rules which admit of the procedure now known as closure by compartment, and sometimes described as the guillotine. The most important changes for the effective saving of time are those of 1907. By these, instead of bills which have passed second reading going to committee of the whole House, they go almost automatically to large standing committees, where procedure is almost the same as in committee of the whole; and then come to the House for report stage and third reading.

EDWARD PORRITT.

WORLD-POLITICS.

LONDON: BERLIN: WASHINGTON.

LONDON, *January, 1909.*

OF the Acts of Parliament that came into force on January 1st, easily the most interesting and the most important was the Old-Age Pensions Act. Its passage must be reckoned the outstanding achievement not only of the session but of the entire Parliament. No more fateful measure has been sanctioned by the House of Commons in my time. It marks a gigantic and irrevocable step in the extension of State activity and aid, and its financial, social and political results cannot be other than profound. On New-Year's Day over half a million men and women in the British Isles trooped into the nearest post-office and drew their first pension of from twenty-five cents to $1.25. On every successive Friday so long as they live they will do the same. The qualifications are that the claimant shall be more than seventy years of age, that his or her income must not exceed $157.50 per annum, that he or she must be a British subject and must have resided in the United Kingdom for twenty years. The disqualifications are (1) receipt of Poor Law relief since January 1st, 1908—this disqualifies till the end of 1910—or the receipt of such relief in the future; (2) detention in a lunatic asylum; (3) conviction and imprisonment without the option of a fine—this disqualifies for ten years; and (4) habitual failure to work for the maintenance of self and dependents—a disqualification, however, which does not apply if certain evidences of thrift be forthcoming. All persons who fulfil the prescribed conditions, who are not disqualified, and whose income does not exceed $105 a year are entitled to $1.25 a week. Those with larger means draw a proportionately smaller pen-

sion, and those with incomes above $157.50 a year stand outside the Act altogether.

Such are the main provisions of this revolutionary measure. The Press, the Government and the local bodies have done everything possible to make them known throughout the length and breadth of the land, and the percentage of those who, being qualified for a pension, have failed to claim it must, I should think, be infinitesimal. Up to December 5th, the last day for which official figures are as yet obtainable, 690,000 applications had been received. Of these 490,000 had been passed and 51,000 disallowed, while 105,000 had been only partially investigated and 43,000 had still to be taken in hand. It is clear from these figures that Mr. Asquith's first estimate of 500,000 persons eligible for pensions was considerably below the mark. The proportion of rejected to admitted claims so far has been about one to ten, and assuming that proportion to hold good in the case of the 148,000 applications that still await adjudication, the full list of pensioners will total not less than 620,000. Accordingly, it is probable that the Chancellor of the Exchequer's final estimate of $37,500,000 as the total cost of the first year's working of the scheme will not be greatly, if at all, exceeded. This in itself, however, is quite a respectable sum to add to the national expenditure as a permanent annual charge, and though Mr. Lloyd George professes not to be dismayed, the Tariff Reformers confidently predict that Old-Age Pensions will end by making Protection inevitable.

No one in Great Britain expects either the number of pensioners or the sums allowed them to remain at their present figures. It is as certain as anything can be that the qualifying age will eventually be reduced, that pensions will be calculated on a scale of increasing liberality, and that the various restrictions that at present surround the grant of them will one by one be done away with. The half million decisions that have already been returned under the Act have disclosed an abundance of anomalies, "hard cases," and downright absurdities, and it is not too soon to prophesy that the provision which insists upon twenty years' residence in the United Kingdom as a necessary qualification for a pension, and the further provision that bars out a claimant who has received Poor-Law relief in 1908, will both be amended out of existence. It is absurd that a man who has

never received relief from the rates except in 1908 should be disqualified, while a man who received it for the dozen preceding years, but was able to do without it in 1908, should be entitled to draw his $1.25 a week. This part of the Act, however, is admittedly provisional and the clauses relating to it are limited to a duration of two years, by which time, it is hoped, the reform of the Poor Law, which is the great work ahead of the Government in 1909, will have been accomplished.

Of the 690,000 claims for pensions nearly 384,000 have come from England, 25,000 from Wales, 71,000 from Scotland, and 209,000 from Ireland. The Irish figures have attracted universal attention. They are a desolating proof of the straits to which the country has been reduced by sixty years of incessant emigration. The population of Ireland is less than that of Scotland, yet the number of applicants for pensions is three times as great. The County of London has half a million more inhabitants than Ireland, but only a fifth as many candidates for support by the State. In Ireland the claimants number one in 21 of the population, in Scotland one in 67, in England and Wales one in 86, and in the County of London one in 117. No doubt a good many of the Irish applications are merely the result of the sanguine and speculative temperament of the people, but eight out of nine of them seem to stand a fair chance of passing the Pension Officer's scrutiny. When all deductions, however, are made the enormous proportion of old people in Ireland remains a significant phenomenon.

All through the Kingdom many pathetic scenes were witnessed when the great day arrived. The gratitude of the pensioners, when what had seemed for so long "too good to be true" materialized in silver coin across the counter, was a spectacle to move the heart of the sternest economist. One old lady presented the postmaster with the wing of a goose, impressing upon him the value of the quills for pens. Many pensioners were accompanied by large parties of friends to see them through the ordeal. The queerest rumors had obtained currency. One pensioner, an Irishwoman, refused at the last moment to take the money, being convinced that it came from the Salvation Army. Another was hardly to be persuaded that the receipt of it did not involve conscription for her sons. Many believed that there would not be enough money to go round, and gathered outside

the post-offices hours before they were opened in order to be the first to be served. Many others doubted even to the last whether it was not all an incredible fairy-tale. All over the country wealthy people celebrated the day by entertaining the pensioners of their neighborhood to tea and dinner. The kindness, patience and helpfulness of the post-office officials and of the general public when a pensioner presented himself with his book of vouchers were delightful to watch. The right of way was given him unmurmuringly. Nobody seemed to mind how long he was kept waiting, so long as the aged and infirm claimants were promptly attended to. There was a universal conspiracy to make the pensioners feel that everybody shared in their happiness; and one could hardly go into a post-office on the prosaic business of buying stamps or despatching a telegram without finding one's self in the midst of some little demonstration of joy and thankfulness. It was very noticeable, too, that the pensioners accepted the bounty of the State not as an invidious form of relief, but as an honorable reward. Old soldiers went with medals on their breasts, and most of the civilian applicants donned their "Sunday best" for the occasion.

While pensions monopolize, for the moment, the domestic interests of Englishmen, India holds the first place when they turn their thoughts to the problems of Empire. Nearly three weeks have passed since Lord Morley announced his scheme of reforms. They have been weeks of lessening tumult in India and of many demonstrations of gratitude for the promised innovations. No doubt that gratitude is not to be taken at its face value. It is probably compounded very largely of a lively fear of disfavors to come. The stringent measures which the Government of India has passed against the agitators have wholesomely cowed them and the extremists, or many of them, think it politic to take the lead in applauding Lord Morley's reforms in order to avert suspicion. But even after making all the necessary deductions, it remains the fact that the boldness and generosity of the new programme have powerfully and favorably impressed Hindu opinion. The Mohammedans are less satisfied. Being a minority, they doubt whether their interests can be adequately represented and protected under any electoral system in which race and religion, and not politics, are bound to be the determining factors. British and Anglo-India opinion, so far as I can gauge it, seems

on the whole to be satisfied, first, that the time had come for a forward movement, and, secondly, that the movement initiated by Lord Morley is comprehensive enough to satisfy all reasonable demands. There is little or no disposition to criticise the enlargement of the Viceroy's Legislative Council by the addition of elected Indians, or the appointment of Indians on the Provincial executives, or the disappearance of the official majority on the Provincial Legislative Councils. These measures place large and real responsibilities in native hands, and every one seems well content that it should be so. The only point which opposition is likely to develop is the appointment of an Indian to the Viceroy's Executive Council, which is practically the supreme governing authority of the country. Old Anglo-Indian civilians stand rather aghast at the proposal, which certainly involves a complete and dramatic departure from the familiar scheme of Indian administration, and precisely on that account deserves, perhaps, heartier commendation than any other feature of Lord Morley's plan. It is criticised as breaking into "the homogeneity of thought, character and purpose" which, at any moment of crisis, an Executive Council must possess if it is to act quickly and strongly; and it is also criticised from the standpoint that if a Hindu is appointed a Mohammedan must be appointed as well to preserve the balance of power and prestige between the two faiths and the two races. On the whole, however, Lord Morley has no reason to be dissatisfied with the reception of his reforms either in England or in India. They are recognized as a liberal and timely extension of that policy of trusting the natives and of admitting them to an administrative co-partnership in the affairs of their country which has always been one of the fixed principles of British rule in India; and the confidence is wide-spread and, I think, well-founded that they will inaugurate a tranquil, brilliant and highly educative era in the government of the great dependency.

BERLIN, *January, 1909.*

FOR the last three months Europe, and indeed the whole world, have watched with breathless but impartial interest the development of the crisis which has been provoked in Germany by the renewal of the struggle between the personal régime of the Emperor William and the supporters of representative and respon-

sible government. The month of October, which began with the announcement of the annexation of Bosnia and Herzegovina by Austria-Hungary and with the declaration of Bulgarian independence ended with the publication, *à propos de rien,* of an interview in the London "Daily Telegraph" in which the Emperor William was represented as appealing to England for her friendship upon the strength of the many services professedly rendered to Great Britain by His Majesty in peace and war during the last twenty years. He was described as saying that on many occasions he had championed the cause of the British people against his own subjects, notably during the Boer War; that he himself had sketched and sent to Windsor a plan of campaign closely resembling that which was afterwards followed by Lord Roberts; and that he had returned a firm negative to proposals of intervention made to him by both France and Russia.

Irritated beyond endurance by the comments to which the Emperor's words had given rise abroad, the German people with one voice condemned the impulsive controller of their destinies, who was once more reaping the whirlwind harvest of his changing moods. For many days during November the Parliament of the Empire, the Reichstag, presented the disordered spectacle of a house divided, not indeed against itself, but against the nation's own representative head. For the moment it seemed as if the outburst was not mere stage-thunder, but the genuine cry of a nation which felt that it had reached years of discretion and was determined henceforth to control its own destinies. The effect was heightened by the fact that at the very time the Reichstag was engaged in these trying debates the Court Circular announced that the Emperor William was in high good-humor, and that he had been vastly entertained by a troupe of Cabaret artists who had been specially requisitioned from Berlin in order to amuse His Majesty at Prince Fürstenberg's castle of Donaueschingen, in South Germany, where he was staying for the shooting. The voice of reprobation, which until then had chidden the Emperor with the necessary restraint, was raised to a hysterical scream, and Prince von Bülow saw himself compelled to exert all his influence in order to induce His Majesty to return to the capital and face the music. The Emperor, however, was at first not to be moved, but contented himself with making a trip to the Lake of Constance, where he visited Count Zeppelin of air-ship fame,

patted the inventor on the back, called him the "greatest man of this century," and gave him the Order of the Black Eagle.

In the mean time Prince von Bülow made to the Reichstag a statement in which penitence and emotion were suitably blended, and the Chancellor anticipated the Emperor's decisions to the extent of declaring his conviction that, "The deep excitement and painful regret which had been created in Germany by the article in the 'Daily Telegraph' would induce the Emperor in future to maintain, even in private conversation, that reserve which is equally indispensable in the interest of a uniform policy as well as for the authority of the Crown."

All this while the Emperor himself had made no sign. Throughout the second week of November rumor was busy with His Majesty's looks and words and actions at Donaueschingen, where he continued to stay for the shooting. Public irritation, however, rapidly became so profound that both the Empress and the Crown Prince were credited with having made representations to His Majesty and implored him to return to Berlin and address a message to the nation. How far these personal appeals were effectual will probably never be known, but the dramatic death of the Emperor's favorite Aide-de-Camp, General Count Huelsen-Haeseler, who dropped down dead one night after dinner at Donaueschingen, appears to have produced a deep impression upon his mind. In many quarters it was freely asserted that Count Huelsen-Haeseler had urged the Emperor to make some concession to public feeling, and that during the course of an altercation which ensued between the two men the Aide-de-Camp was seized with a fit of apoplexy and was borne dead from the room. However this may be, the Emperor appears to have made up his mind to return straightway to Berlin, not without having first paid a visit to his aunt, the Dowager Grand Duchess of Baden, sister of the Emperor Frederick, and one of the few surviving personages in high places who have witnessed the making of united Germany.

Upon arrival at the Palace at Potsdam, His Majesty summoned Prince von Bülow to his presence, and, after receiving the Imperial Chancellor's report upon the causes of the prevailing discontent "in a highly serious spirit," as the world has officially been assured, declared that he "regarded it as his highest Imperial duty to safeguard the stability of the policy of the Empire without prejudice to the responsibilities imposed by the Constitu-

tion." But he explicitly expressed disagreement with his critics. A formal account of this memorable interview was duly published in the Official Gazette of the Empire, and for a short space the land had peace. But it did not take the critics long to discover that upon inspection the pledges which had been offered at Potsdam did not amount to much more than a repetition of what may for convenience' sake be called the Coronation Oath. Criticism burst out afresh, and the discussion of the issue was once more renewed in the Reichstag. Although less violent in tone than upon the former occasion, the debate was none the less marked by a freedom of language which until then had been unknown in Germany. In the event, the House decided that various resolutions dealing with the question of more effective Ministerial responsibility should be referred to a select Committee.

This result was not altogether unexpected, and indeed it appeared to satisfy all concerned. Committees notoriously work in a mysterious way, and it was generally felt that to gain time, in order that passions might be allowed to cool, was all-important. The Emperor for his part cannot have failed to welcome this development with a relief almost equal to that which Prince von Bülow must have experienced; while the non-socialist parties, after their first paroxysm of indignation, manifestly reflected that the tendency of their vituperations was to undermine the system upon which their own political influence was founded. As so often before, the settlement of the crisis was adjourned until further notice.

Nevertheless, this prudential attitude must not be taken to mean that nothing has been attained or accomplished as a result of the latest constitutional conflict in Germany. If one thing more than another was calculated to arrest attention, it was the unbridled license with which the person of the Emperor was attacked. An organized campaign of this kind against a monarch who has never wearied of insisting upon the divine right of his kingship was an ominous development. The struggle between the supporters of the personal régime and those of responsible government had been long delayed and often deferred, but it was rendered inevitable by the character of the present Emperor. When a few weeks before the dissolution of the Reichstag in December, 1906, Prince von Bülow challenged the Deputies to adduce a single instance in which the Emperor had violated the Con-

stitution he was answered with a burst of mocking laughter. And yet it was impossible to refute the Chancellor's contention. The Emperor has consistently kept within the letter of the Imperial Constitution. But he has transgressed its spirit. If he had not transgressed its spirit there would have been little disposition to cavil at Prince von Bülow's assertion that the office and functions of the Chancellor furnished the most absolute guarantees against any violation of the Constitution by the Monarch. It is, however, precisely in his relations with the four successive Chancellors of the Empire that the Emperor William II has acted in flagrant opposition not to the letter, but to the spirit, of the Constitution. In effect the office of Chancellor has been reduced to insignificance. However much Prince von Bülow may boast that he has brought the actions of the Emperor into conformity with the law of the Constitution by means of his own "authentic interpretations" of them, the fact remains that, as Chancellor, he has become merely the diplomatic secretary of his Imperial master, who has too frequently disdained to avail himself of his services. More than once, and indeed as recently as last November, Prince von Bülow has hinted to the Reichstag that there was a limit to his subservience to the autocratic eccentricities of the Emperor. How problematical and vague that limit is the events of the last two years have sufficiently shown. But even if it were far less remote than appears to be the case, the argument would lose none of its force that a Chancellor dependent for his office upon the Imperial will constitutes but a frail safeguard against any breaches of the Constitution by the Monarch. So far the history of the German Empire has not produced a single Chancellor who has demonstrated his independence of mind by resigning of his own accord. They have chosen to consider themselves servants not of the people, but of the Emperor. Prince von Bülow has not profited by past experience. He has "threatened" to resign, but he has never yet translated his threat into action. The threat remains, like the whole of his career, merely a "*beau geste.*"

What the end of the present crisis will be, it is impossible to predict. The one indisputable fact is that things in Germany have undergone a fundamental change. The questions which at the moment most concern the public mind are: What will the Reichstag do, and what are the Emperor's relations with his Chan-

cellor? There are many who profess to know that His Majesty's once intimate relations with Prince von Bülow have ceased, and that the intercourse between them is now confined to the *minimum* which is indispensable for the discharge of affairs of state. The Emperor is said to recognize that in view of the financial problems of the Empire which still call for solution, Prince von Bülow cannot for the present be allowed to retire. The question is whether, when this task has been accomplished, he will be encouraged to remain. From the point of view of a reassertion of the Imperial authority, as the Emperor William understands it, nothing could be more impolitic than an attitude which would be calculated to drive Prince von Bülow into the arms of the Liberal-Conservative *bloc* in the Reichstag. Many stages, however, remain to be passed through before the process of transformation in the German body politic can be called complete. The office of German Emperor is a neuter conception which represents merely the "Presidency" of a *primus inter pares* in the Confederation. The present holder of the office has been led by his peculiar temperament to invest his hereditary dignity with an individual, monarchic and absolutist character which was not contemplated by the authors of the Constitution. It remains to be seen how far the Emperor will be able to acquiesce in the transformation which seems to be imminent. So far he has borne none too well his altered condition and the loss of prestige in the eyes of his peers, of the German Empire and of the world at large. A certain degree of sympathy cannot but be felt with a man of the Emperor William's personality, who has toiled for Germany with untiring zeal, but with little perception for the essential needs of his country and the age. Bismarck himself used to say that his countrymen were a vain people who would readily endure any hardships provided that the policy of their rulers was sufficiently successful to keep Germany in the foreground. Under the Iron Chancellor the Germans had their fill of notoriety abroad, and cheerfully bore at home an administration which was little short of tyrannical. The record of the present Emperor in the eyes of the German people is one of extravagance and failure, and the nation, with its peculiar self-consciousness, its pride in its achievements, and its confidence in its destiny, has with one voice raised a compelling demand for more effective Ministerial responsibility. To this demand Prince von Bülow has lent an ap-

parently attentive ear. His principle seems to be to humor the national temper until its irritation moderates under the influence of various considerations which have not yet fully asserted themselves. Pressure is exerted upon the mass of the nation from below by the uncompromising vigilance of the Social Democracy, while the survival of the mediæval Prussian class franchise and of the Prussian conception of Monarchy bars the way to reforms from above or from within. In these circumstances Prince von Bülow, or his successor, will be following the line of least resistance if he grants such formal concessions as would be entailed by more frequently summoning the Foreign Affairs Committee of the Federal Council and by supplying more detailed information on questions of foreign policy to the Reichstag.

WASHINGTON, *January, 1909.*

THE most interesting constitutional question which has been mooted for some time is raised by Senator Culberson's resolution calling for an investigation of the President's constitutional right to withhold from the Senate information which that body regards as necessary for the fulfilment of its legislative functions. What adds to the interest of the inquiry is the fact that no final adjudication of the question has been made, and that conflicting views of it have been taken in the past by the Executive, on the one hand, and the Federal Legislature, on the other. Well-informed persons in Washington are recalling some of the more striking precedents. For example, President Washington declined to communicate to the House of Representatives the correspondence relating to the British Treaty negotiated by John Jay. President Jackson, in 1833, withheld pending matters relating to the Maine Boundary dispute; and President Tyler, in 1842, declined to lay before the House of Representatives the condition of the same affair. President Polk, in 1845, in like manner withheld information from the Senate as to the pending proceedings for the annexation of Texas, and in 1848 declined to lay before the House the instructions given as to the negotiation of the treaty with Mexico. President Fillmore declined to comply with a request of the Senate, made in legislative session, for information as to negotiation with the Sandwich Islands. President Buchanan withheld from the Senate the correspondence relating to the slave-

ship "Wanderer," and President Lincoln likewise declined, on March 26th, 1861, to communicate Major Anderson's despatches from Fort Sumter.

Does it follow that the head of a department is constitutionally justified in obeying the President's direction to withhold from Congress information which it requests? The nearest approach to an adjudication of this point by the United States Supreme Court was made in the case of Kendall *v.* Stokes (1838). After laying down the principle that the Executive power is vested in the President, and that, as far as his powers are derived from the Constitution, he is beyond the reach of the Federal Legislature, except in the mode presented by the Constitution through the impeaching power, the Court goes on to say that it by no means follows that every officer in every branch of the Executive department is under the exclusive direction of the President. "Such a principle, we apprehend, is not, and certainly cannot be, claimed by the President. It would be an alarming doctrine that Congress cannot impose upon any executive officer any duty that it may think proper which is not repugnant to any rights secured and protected by the Constitution; and in such cases the duty and responsibility grow out of the law, and are subject to the control of the law, and not to the direction of the President. This is emphatically the case when the duty enjoined is of a mere ministerial character." In the same case Chief-Justice Taney said: "The office of Postmaster-General was not created by the Constitution, nor its powers marked out by that instrument. The office was created by an act of Congress, and whenever Congress creates such an office as that of the Postmaster-General by law it unquestionably may limit its powers and regulate its proceedings; and may subject it to any supervision or control, executive or judicial, which the wisdom of the Legislature may deem right."

On the other hand, those observers of current political incidents who try to be entirely fair recall that in the case of Marbury *v.* Madison (1807) a different view of the matter had been taken by Chief-Justice Marshall. After pointing out that by the Constitution of the United States the President is invested with certain political powers in the exercise of which he is to use his own discretion, and is answerable only to his country in his political character and to his own conscience, Chief-Justice Marshall went

on to say that to aid him in the performance of his duties the President is authorized to appoint certain officers who act by his authority and in conformity with his orders. "In such cases their acts are his acts, and whatever opinion may be entertained of the manner in which the executive discretion may be used, still there exists, and can exist, no power to control that discretion."

Senator Sherman in his "Recollections" evidently sides with Taney rather than with Marshall, and apparently would hold that in the case now under inquiry in the Senate the head of the department from whom information was requested should have complied with the request even though directed by the President not to do so. Referring to President Grant and his Cabinet, and to the impression that the President regarded the heads of departments invested by law with special and independent duties as mere subordinates whose functions he might arrogate, Senator Sherman declared that "this is not the true theory of our Government. The President is entrusted by the Constitution and the Federal laws with important powers, but so by law are the heads of departments. The President has no more right to control or exercise the powers conferred by law upon them than they have to control him in the discharge of his duties." Reminding his readers that it is especially the custom of Congress to entrust to the Secretary of the Treasury specific powers over the currency, the public debt and the collection of the revenue, Senator Sherman avers that "the President cannot exercise or control the discretion reposed by law in the Secretary of the Treasury, or in any other head or subordinate of any department of the Government. This limitation of the power of the President and distribution of power among the departments is an essential requisite of republican government."

Although in a subsequent Message he disavowed any such purpose, the President, in his first reference to the subject, did undoubtedly impute to members of the House of Representatives a wish to reduce the appropriation for secret service, for the reason that they personally dreaded investigation. As the second Message referring to the matter did not frankly acknowledge the mistake and apologize for it, the House of Representatives was justified by precedents, it is generally thought, in tabling the relevant part of that Message. The assumption of purity of motive and openness of purpose has been the normal basis of inter-

course between the President and Congress. Thus President Cleveland said: "It has been urged as an objection to this measure [the Oleomargarine Bill] that, while purporting to be legislation for revenue, its real intent is to destroy, by the use of the taxing power, one industry of our people for the protection and benefit of another. If entitled," continued Mr. Cleveland, "to indulge in such a suspicion as the basis of official action in this case, and if entirely satisfied that the consequences indicated would ensue, I should doubtless feel constrained to interpose Executive dissent, but I do not feel called upon to interpret the motives of Congress otherwise than by the apparent character of the bill which has been presented to me." President Roosevelt undoubtedly had assumed to interpret the motives of the House of Representatives for reducing the appropriation for the secret service, and that body undoubtedly was justified in resenting the aspersion.

Among the speeches made in Georgia by President-elect Taft was one that should be peculiarly welcome to those conservative citizens who still believe in the Constitution of the United States, and who hold that the less tinkering it is subjected to the better. In the communications of the present Executive will be found many an allusion to the expediency and desirability of bringing about the amendment of the Federal organic law in this or that particular. It probably would be practicable to collect from Mr. Roosevelt's official or public utterances more references to the shortcomings of the Constitution than could be discovered in all the Messages of preceding Presidents put together. Very different is the position occupied by Mr. Taft. He appears to take for granted that there is a presumption against the advisability of any change in the Federal organic law, and that the burden of proof lies on the proponent of such a change.

From denizens of Washington, who are familiar with the heightened scale and cost of living in the national capital, nothing but applause was heard for the amendment to the legislative, executive and judicial bill increasing the salary of the President to $100,000 —practically to $75,000, because the appropriation of $25,000 for travelling expenses is to be abolished—and that of the Vice-President and Speaker of the House of Representatives to $20,000, with $5,000 additional allowance for carriages and coachmen. As Senators, when they want to keep a carriage, have to provide for it out of their own pockets, protests were heard from some of

them against the bestowal of an allowance on the Vice-President and Speaker for the purpose. On the other hand, there was but little opposition to the increase of the salary of the Chief Justice of the United States Supreme Court to $18,000, and that of his associates on that tribunal to $17,500, coupled with a proportionate expansion in the case of Circuit and United States District Judges. It would be difficult to justify objection in these cases, when one bears in mind that the Justices of the State Supreme Court sitting in the City and County of New York receive $17,000.

Americans have reason to be proud of the munificence of their country's gifts to the sufferers from earthquake in Sicily and Calabria. The flow of contributions from the United States has by no means ceased at the hour when we write. But a recent computation showed that the American gifts amounted to nearly four million dollars, or about twice as much as then had been obtained from Italy herself, and as much as the whole of Europe (with the exception of Italy) had furnished. The proofs of sympathy afforded by Italy's allies, Germany and Austria, are by no means impressive, and, in fact, all of the European donations, with the exception of those from Great Britain and France, seem deplorably inadequate. It may be said that the United States gave more than all of Europe combined (except Italy) because it harbors many hundreds of thousands of Italians. As a matter of fact, the proportion of the four millions which emanated from Italian sojourners is insignificant.

When Secretary Root passes from the State Department to the United States Senate, he will leave little in the way of treaty-making for his successor to do. He has lately signed a great many international agreements, and to make them binding nothing remains except to submit them to the Senate and secure the sanction of that body. Of all the treaties none are more important than the three negotiated, nominally, with Great Britain, but really with Canada, since they deal exclusively with controversies pending between citizens of the Dominion and those of the United States. If these three treaties are ratified by the Senate, as it is to be hoped they will be, there will be no cause of friction left between the two branches of the English-speaking people on this continent.

THE EDITOR'S DIARY.

A Pert Communication.

We have received the following letter from a lady in high society, with whose request that we omit her name because of its prominence we considerately comply:

"New York.

"Sir,—Generally I do not read anything but the 'Smart Set' and 'Town Topics,' but happening to go into Jack's room the other day I picked up a number of your magazine and looked through the titles. Why in the world Jack takes it I can't think, unless to read himself to sleep, but the name of the last article (about the Decalogue not meaning women) caught my eye and I read it through. Jack says you are a great cynic, whatever that is, and it was all a joke; but I believe you were in earnest, and I am writing to tell you that I think it is awfully decent of you to take that view.

"I used to hear the Commandments read in church and supposed they applied to everybody. I had forgotten about them as I haven't time nowadays to go to church (Sunday is my busiest day), but I hunted up a Prayer Book and went through them to see (if you were mistaken) just how I stood. The *first* and *second* we may as well take together, and I am sure I am all right there. Some of my friends are Catholics and worship the Saints, but as for me I don't worship anything or anybody. I am pretty sure, too, about the *third*, for though I do use certain expletives upon occasion, that isn't taking the Lord's name in vain, *is* it? The *fourth*, of course, applies only to the Jews. We Christians haven't any Sabbath, so how could we keep it holy? I let that pass.

"As to the *fifth*, papa and mama were queer, and though after I was married I used to visit them occasionally, I couldn't help feeling glad they never wanted to come to New York. However, they are dead now, and as they left me all their money, I can easily honor their memory. Now we come to the *Sixth*. I don't think I ever killed anybody. To be sure, my motor-car ran over a little boy and he was taken up dead, but the man who had to inquire into it (I believe they called him a Coroner) was a dear, and said it was entirely accidental. However, Jack sent the boy's father a big check, and I told Pierre he really must be careful. He said, as he always does, '*Oui, Madame,*' but he knows

I love to go fast, and if people *will* get in the way, why they must take the chances. Old Dr. Grout goes about saying that if we don't have a lot of children we are no better than murderers; but every one knows he is entirely out of date, and we know our own business, I fancy.

"I suppose the *Seventh* is the reason the Bishops are making such a fuss about divorce. Billy Waterford, who is a great wit, says he has heard that the Bible says Bishops must have only one wife, and he supposes that is why they are so furious. For my part, I despise such bigotry. Why, there were Sally Seymour and Reggie Amington. Not a Rector in town, nor even a curate, would marry them, just because they both happened to be divorced, and Reggie had to motor up to Providence and bring down to Newport some sort of a judge, a weird-looking man, Sally says. However, he married them somewhere in Sally's house, and she didn't have the least little bit of a wedding. Perfectly ghastly, wasn't it? I don't see why divorces are any one's business, except the parties'. Sometimes I meet my first husband at dinners. He says, 'Hello, Polly,' and I say, 'Hello, Jim,' so there is no ill-feeling between us, and what is it to anybody else? Just now, Jim is married to an actress he picked up in Paris.

"One nice thing about being divorced is, you generally get rid of a lot of horrid relations-in-law, and this brings me to the *Eighth* Commandment. Jim's Aunt Martha, a regular old frump, used to lecture me about my not paying my *modiste*. She said it wasn't *honest*. But Corinna's bills are absolutely *frightful*, and if there is any dishonesty about it, she is the one. Somebody gave a few of us the tip that the Knickerbocker Trust Company was going to fail, and we rushed our money out just in season. Uncle John asked me if I thought it was an *honest* proceeding. I don't see why not. You can't steal your own money, can you? As to paying bills, there are so many things one *has* to pay ready money for, and I am always very particular about paying my losses at Bridge.

"The *Ninth* is about scandal, I suppose. Well, I *may* say something about some one that is not entirely true, but no doubt other women do the same about me, so that makes it even.

"The *Tenth*, as you do truly say, shows on its very face that it is intended for men only. *Women* wouldn't be told not to covet a neighbor's wife. So we may dismiss it without further notice. Now, my dear sir, I must say again how much I thank you for your instructions, and I want to ask you if you couldn't get the 'Smart Set' to copy your article, so that *all* women may read it."

The shallow pertness of this communication deprives it of any claim to consideration; and yet, in all seriousness, we are disposed to believe that it fairly illustrates the mental and moral quality of a small class, within a larger one, kept constantly in evidence by the daily press as worthy, if not of emulation, at least of admiration.

ESPERANTO NOTES.

WE take pleasure in emphasizing the fact that this REVIEW continues to be a staunch supporter of Esperanto. Questions on this head are frequently addressed to us, we know not why; for, obviously, some months we cannot print so much concerning Esperanto as we can some other months. But the progress of Esperanto continues to increase with every week, in proof of which we quote a summary of statistics culled by the January *British Esperantist* from the *"Oficiala Gazeto"*:

"Between August 5th and November 5th last, eighteen new Esperanto Societies were founded in America—seventeen in the United States and one in Mexico. On the latter date there were Esperanto 'Konsulejoj' in thirty-nine American towns.

"In Europe, sixty-three new societies were formed, the principal contributions being twenty-two from Germany and five from Italy. Total number of European 'Konsulejoj,' 295.

"The total recorded number of Esperanto Societies, for the whole world, on November 5th, was 1,130.

"Eight new Specialist Societies have been started: one in Chicago for *Theosophists;* one in Wittgendorf (Germany), *Lutherans;* one in Paris, *Printers' Co-operative Society;* one in Magdeburg, *Teachers;* two *Young People's Groups,* in Toronto (Canada) and Palermo (Italy); one *Women's Club* in Evansville (U.S.A.), and one *Students' Group* in Bonn (Germany).

"The total number of Esperanto Magazines was sixty-nine. Among some of the new ones are '*Esperanto en la Servo de la Dia Regno*' (a paper for the international linking-up of Y. M. C. A.'s), published in Mülheim a. Rhein, Germany; '*L'Informilo,*' issued by the Calais Esperanto Group; '*Informaj Raportoj,*' the official organ of the League of German-speaking Austrian Esperanto Groups; '*Brazila Esperantisto,*' in Esperanto and Portuguese, Rio de Janeiro, organ of the Brazilian Esperanto League; and '*Esperanta Gazeto,*' Guadalajara, Mexico.

"The following are some recent instances of official recognition of

Esperanto by Governments and public institutions: In Austria-Hungary, the Minister for War, in an official circular, has given permission to officers and military officials to join the 'Esperanto Union' in Vienna. In France, the Departmental Council of the Seine has voted a subvention to the Esperanto Group at Charenton, which is also in receipt of two further subventions from the Corporations of Charenton and Saint-Maurice. In Cochin-China, the Colonial Council has voted a subventior of £20 to the Esperantist Group at Saigon. It is interesting to know that the use of Esperanto in telegrams was sanctioned in Russia as far back as 1904 (Official Circular No. 20,211).

"Non-Esperantist Congresses and societies are gradually becoming convinced as to the value of Esperanto for their international business. *The International Federation of Dentists*, which met at Brussels on August 7th and 8th, accepted the proposals of Dr. Cunningham (Cambridge) that the specialist reviews which publish the Official Bulletin of the Federation also print a summary of it in Esperanto, and that Esperanto be admitted as official language at the International Congress of Dentists to be held in 1909 in Berlin.

"Reports have appeared in many national journals concerning Esperanto and the Red Cross Society. Letters favoring the use of Esperanto have been published by officers of the Higher Military School in Madrid; by the Commandant of the Cavalry Cadet School in Mährisch Weisskirchen (Austria); by the Central Committee of the Hungarian Red Cross in Budapest; and by Prince Hilkof, president of the Russian Red Cross Society.

"As a result of discussions at the *Spiritualist Congress* in Belgium, and at the congress of the German Society of Spiritualists, an Esperantist 'International Association of Spiritualists' is in preparation.

"The *International Peace Office* in Berne is offering a prize of £60 for the best exposition, in the form of a text-book utilizable for all grades of schools, of the principles and consequences of the Pacifist movement. The book may be written in French, German, English, Italian or *Esperanto*."

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THE CHURCH AND THE REPUBLIC.

BY HIS EMINENCE, CARDINAL GIBBONS.

I.

FIFTEEN millions of Catholics live their lives in our land with undisturbed belief in the perfect harmony existing between their religion and their duties as American citizens. It never occurs to their minds to question the truth of a belief which all their experience confirms. Love of religion and love of country burn together in their hearts. They love their Church as the divine spiritual society set up by Jesus Christ, through which they are brought into a closer communion with God, learn His revealed truth and His holy law, receive the help they need to lead Christian lives and are inspired with the hope of eternal happiness. They love their country with the spontaneous and ardent love of all patriots, because it is their country and the source to them of untold blessings. They prefer its form of government before any other. They admire its institutions and the spirit of its laws. They accept the Constitution without reserve, with no desire, as Catholics, to see it changed in any feature. They can with a clear conscience swear to uphold it.

With an appreciation, the greater because their fathers or they themselves have known persecution,—in the British Isles, in Ger-

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many, in Poland and elsewhere,—they prize both the liberty they enjoy as citizens and the liberty assured to the Church. The separation of Church and State in this country seems to them the natural, inevitable and best conceivable plan, the one that would work best among us, both for the good of religion and of the State. Any change in their relations they would contemplate with dread. They are well aware, indeed, that the Church here enjoys a larger liberty and a more secure position than in any country to-day where Church and State are united. They have a deep distrust and strong dislike of the intermeddling of the State with the concerns of religion: and such a restriction as the Church was obliged to endure in France, binding the Pope to choose Catholic bishops only from among the candidates presented to him by unbelieving Government officials, seems to them,—not fully appreciating the difficulties of the situation,—a scandal and a shame. They most assuredly desire never to see a like system introduced into the governing of the Church in America. No establishment of religion is being dreamed of here, of course, by any one; but, were it to be attempted, it would meet with the united opposition of the Catholic people, priests and prelates.

Catholics feel at home among their countrymen. They are conscious of an unstained record of loyalty, of patriotic self-sacrifice and of law-abiding behavior. Their dearest ambition is to live in peace with all, to antagonize no class; they are conscious of no barrier separating them more than any other element of the population into a class apart. Strong in the knowledge that an overwhelming majority of their fellow-citizens understand and appreciate them, they usually ignore the occasional insults directed to them by a small and rapidly decreasing section of the community not yet emancipated from ancestral misconception and prejudices, and still wedded to the conviction that the Gospel is to be propagated by slander and the fomentation of religious strife.

This form of religious propaganda Catholics know to be abhorrent to the spirit of every true American; and on that spirit they rely to nullify the spasmodic efforts of bigotry; for, though a large proportion of the non-Catholics do not sympathize with Catholic doctrines, this dissent is not carried over into political or social life. Men have learned in this country to disagree pro-

foundly without rancor or bitterness. With no compromise of principle on either side, moral worth, sterling character, kindly qualities of mind and heart bind together in good-will, admiration and friendship the lives of those who do not worship at the same altar. The non-Catholic American would receive with a contemptuous smile or an indignant gesture any suggestion that his Catholic friend, or business associate, carried hidden in his heart some sinister tenet that gave the lie to his life, and might at any moment oblige him to turn traitor to the Republic.

The Catholic himself feels, as he has learned from the lips of his own revered and trusted teachers of religion, that the more faithful he is to his religion the better and nobler citizen will he be. That religion and patriotism could ever come into conflict in his bosom seems to him an utter impossibility; and in the religious principles which he has received in common with his fellow Catholics he sees the surest defence of the State against the forces of disorder and lawlessness, and the insidious influences that work for the overthrow of our Christian moral standards in private and public life.

Such are the conditions that exist, in themselves admirable, and gratifying to the statesman, to the churchman, to the lover of religion and country; to all who rejoice in the spread of good-will and peace among men. Who would dare to introduce religious strife among us, to disturb this peace, and set the torch to the Temple of Concord?

II.

Of this body of American citizens living such a life and imbued with such sentiments (of which there are almost as many proofs as there are Catholics), two synods of Protestant ministers have deemed it just and wise to proclaim to the country that Catholics cannot be trusted with political office; that they cannot sincerely subscribe to the Federal Constitution; that their loyalty is illogical, being contrary to the teaching of the Church; that their religion is opposed to American liberties; and that they themselves, kept in the dark by their religious guides, are ignorant of the true nature of their Church's doctrines. In sounding forth these charges to American Catholics and to the country in general, they declare themselves inspired, not by religious

antagonism or the desire to profit by a good opportunity, but solely by patriotic solicitude for the permanence of American institutions.

Charges so contrary to the abiding convictions of American Catholics and so hurtful to their deepest affections are naturally resented; yet they do not appear to have excited any commotion among us. It would indeed be a grave matter if these utterances expressed the judgment of the American nation, indicated its sentiments towards our Catholic citizens and preluded a departure from the national policy of religious liberty and equality before the law. Happily, we know this is very far from the fact. The truth is, we believe, these ministers not only do not represent the American attitude towards us, but would meet with determined opposition if they attempted to carry with them even their own congregations. They have good cause to complain, as they do, of the apathy of their co-religionists. Catholics are convinced that the nation recognizes its own voice in President Roosevelt's letter to Mr. J. C. Martin rather than in the pronouncements it provoked. There they hear the ring of genuine Americanism; and they catch in the other the echo of old cries, of which they have long grown weary.

III.

It can be pleasant to none of us to be called upon, not only to prove our title to convictions which have guided us through life, but to show cause why we should not be deprived of the common political rights of human beings in our own native land. However, I feel obliged to speak out; and if I should speak with warmth on one or two points, it will be because I feel the proposal made deserves the strongest reprobation and is, moreover, entirely unworthy of men in the position of those from whom it emanated. I have no desire to inflict pain, but I cannot avoid characterizing the action of the synods as it deserves. Against the gentlemen themselves I can feel no animosity. They are excellent men in many respects, no doubt, and mean to be good citizens. I am sure, though their spirit does not tend to sweeten American life as much as we might desire, they help to purify and raise its tone, and to keep religion alive in the hearts of their people, and I can only wish them well.

The Catholic religion, as they understand it, is in conflict with the Federal Constitution, and with the object of our institutions. Catholics, then, ought not to be trusted with political office. Accordingly, Americans should seek to exclude Catholics from the chair of the President who is called upon to enforce the Constitution; from the Supreme Bench, whose duty it is to interpret it; from the Senate and the House of Representatives, which have the power to change it. And as the chief evil dreaded from Catholics is a modification of the existing relations between Church and State, a power theoretically reserved to our State Governments, no Catholic should be chosen Governor, State legislator or judge of a supreme State court. This is the scope of their meaning, though not all explicitly avowed. It would logically be desirable to deny Catholics the right to vote, and with men in the frame of mind their attitude suggests, the realization of this desire in the statute-books, and of their complete programme, would only be a matter of their possessing sufficient power and judging the act politically expedient.

Now this proposal to exclude Catholics from office,—for it is no mere theory, but a practical programme earnestly recommended to the American public by two solemn assemblies,—is advocated expressly in the interest of religious liberty and for the sake of preserving the Federal Constitution. That document says: "no religious test shall ever be required as a qualification to any office or public trust under the United States." Just understand here, however, remark these Lutheran and Baptist synods, an amendment or rather, let us say, a little clause which brings out the sense with admirable clearness: "provided, of course, that this provision be not understood to apply to Roman Catholics."

Such restrictions on religion have always been felt to be incompatible with American ideas and have fallen, though sometimes only after a long struggle, before the force of the real American spirit. "When the Constitution came before the State conventions, . . . in Massachusetts alone was a dread of liberty expressed. Major Lusk 'shuddered at the idea that Roman Catholics, Papists and Pagans might be introduced into office, and that Popery and the Inquisition may be established in America.' 'Who,' answered the Rev. Mr. Shute, 'shall be excluded from natural trusts? Whatever answer bigotry may suggest, the dictates of candor and

equity, I conceive, will be, None.' "* The Puritan clergyman carried his point and Massachusetts endorsed the Federal Constitution. Most of the State constitutions, however, were not at first characterized by the same perfect liberty. Seven of them debarred Catholics from office or citizenship; six expressly, one by requiring naturalized citizens to abjure any foreign *ecclesiastical* allegiance. Unitarians in one State, Jews and unbelievers in several, were likewise subjected to civil disabilities. But in the course of time all restrictions against adherents of any religion were swept away. The removal of these civil disabilities has always, I believe, been considered a triumph of the American spirit; and the Lutheran and Baptist synods will find it difficult to persuade the public to write the synodical concept of religious liberty and civil equality upon our statute-books. They will not attempt it; but shall we take pride in the removal of such laws from the statute-books and counsel our citizens to engrave them upon their hearts?

That Americans in general do not believe in these synodical principles is shown at every election, when, as Mr. Roosevelt has pointed out, districts predominantly Catholic have repeatedly elected Protestants to office, and, *vice versa*. Catholics have been chosen by several strongly Protestant States as their Chief Magistrates or as their representatives in the Senate. Presidents of the United States have shown no lack of confidence in them, calling them into their cabinet, elevating them to the bench of the Supreme Court, one of whose Chief Justices was a Catholic, and charging them with important posts at home and abroad. Religious issues have sometimes been injected into campaigns, never, however, by Catholics so far as I can recall; but every one has a feeling that it is unfortunate and un-American. It has been done mostly in secret, for its authors were ashamed of the light.

It is a new thing, for the present generation at least, to see the chief authorities of important religious bodies advocating the exclusion of loyal American citizens from office on the sole

* Cobb, "The Rise of Religious Liberty in America," p. 508.

In regard to the persecution directed against Catholics in Colonial times, Mr. Cobb says: "Of all the religious legislation in the Colonies nothing was more absurd than that against Roman Catholics. One would suppose that the Roman Church was a constant and threatening foe to Colonial Institutions. The fact was far otherwise." Pp. 450–451. See also "Maryland, the Land of Sanctuary," by Rev. William Russell.

ground of their religious allegiance. This act will be writ indelibly in the annals of our country in the chapter entitled "Religious Intolerance." And in the same chapter, history ought to record that the action, entirely clerical in origin, received no manifestation of sympathy with its aim or spirit from the laity, who thus earned the blame of their leaders (in things spiritual, but not in politics), and the approbation of the American people.

There must be no tampering with the delicate machinery by which religious liberty and equality are secured, and no fostering of any spirit which would tend to destroy that machinery. Religious passions are deep and strong; and any man in his senses who knows human nature or knows the history of Europe, and has at heart the future peace and happiness of our country, whatever his belief, will do nothing to introduce religious strife into the politics of America. Religious tolerance is not the easy superficial virtue it seems in these placid days; intolerance in the dominating party tends to produce intolerance in the injured party. Then religious peace is near an end, unless strong restraints be used. The spirit of the country has changed much in half a century, and it would be very difficult to arouse such fanaticism as I saw in the Know-nothing days. Prudent men, men who are far-sighted, especially if they are in positions of responsibility, will work for peace and harmony. Such has always been the attitude of our Catholic hierarchy, and, with few exceptions, of our priesthood. I know not what to think of men, putting themselves forward as the leaders of large religious bodies, who counsel the American people to depart from that policy which has promoted peace and good-will among us and made us illustrious among nations for our spirit of liberty and liberality. What good can they hope to accomplish?

They say Catholicism and loyalty are logically incompatible; but if, as they acknowledge, they are felt in fact to be compatible, should they not rejoice? Do they wish to force Catholics to be disloyal? Or do they—ah! perhaps the motive lies here—do they wish to force Catholics to renounce the Pope and become good Protestants? But no, their motive is purely patriotic. Taking Catholicism even at their worst estimate of it, then, should they be willing to introduce into American life all the bitter and hard feeling that a political war on Catholics would certainly precipitate? Willing to incur great and inevitable present evils to ward off a

danger centuries hence that they cannot believe real? Willing to punish henceforth and forever honest good Catholics whom they themselves acknowledge to be loyal Americans, because their descendants of the dim distant future might have an opportunity, —they would not grasp it, confess even these fearful ones,—to overturn American liberties? We may well smile at the shuddering of Major Lusk; but the proposal of these men in this age is inexcusable.

I am speaking in no tone of deprecation. We have nothing to fear for ourselves. We are strong, not only in our own union and strength, but in the broad American spirit of fair play and love of liberty; and, I may be permitted to add, in our confidence that God destines the Catholic Church in this country to be the bulwark of law and order, of liberty, of social justice and purity. But I speak that I may put forth whatever strength I have to crush this detestable spirit of intolerance which, if it gained strength, would wreck the peace of the country and root out charity from the hearts of men. "Let us uncover the hatchet!" shouts an excited Lutheran organ. Brothers, bury it. Far better for you and for the country if when well out of sight of the Fatherland you had silently dropped your hatchet into the deep.

Still, I do not deny, among some men who would oppose political discrimination against Catholics as unjust, unwise and unnecessary, there remains a certain dread of Catholicism. They acknowledge that the Catholic Church in this country is an immense force for the public welfare, raising up native Catholics as patriotic Americans and moulding her foreign-born elements into a homogeneous people. The very sense of her strength, indeed, is in great part the cause of the dread; they fear the danger of a collision between the State and a Church whose head is a foreigner and believes himself the representative of God upon earth. Catholic teaching, American principles of government and the existing facts will show how baseless is this apprehension.

IV.

The distinction between the civil and the ecclesiastical powers is very firmly established in Catholic teaching. "The Almighty," says Pope Leo XIII, "has appointed the charge of the human

race between two powers, the ecclesiastical and the civil; the one being set over divine, the other over human things. Each in its kind is supreme, each has fixed limits within which it is contained, limits which are defined by the nature and special object of the province of each. . . ." "Neither obeys the other within the limits to which each is restricted by its constitution." Pius IX approved a pastoral of the Swiss bishops which teaches the same doctrine, that civil magistrates are "invested in their own domain with a full sovereignty," and that to them "we owe obedience and respect in all things morally permitted and belonging to the domain of civil society." This is but common Catholic doctrine.

The Church, then, holds that the civil government has divine authority, just as has the ecclesiastical; that the limits of each are fixed by the nature of its purpose; that within these limits each power is supreme; consequently, that the Church cannot intermeddle in affairs purely civil, nor the State in affairs purely ecclesiastical; and that members of the Church are bound to obey the State, within its own domain, in all things that do not contravene the moral law.

This distinction of the two spheres or zones of authority, as I may call them, lying in the very nature of their object, remains even if all the members of the State be Catholics. Cardinal Tarquini, a Jesuit writer of authority, states this clearly. "Civil society," he says, "even though every member of it be a Catholic, is not subject to the Church, but plainly independent in temporal things which regard its temporal end. . . . This is proved by reason. For, whatsoever is done in temporal matters, having in view a temporal end, is outside the object of the Church. Now, it is a general rule that no society has power beyond its own scope. . . . Hence it follows that the State, although it be composed of Catholics, yet in temporal matters and from a temporal point of view is by no means subordinate to the Church, but quite independent of her."

The establishing and the maintenance of this distinction is one of the greatest contributions of the Catholic Church to civilization. To us, in the twentieth century, the distinction seems obvious, almost self-evident: but in the ancient world religion was a mere function of the State. To the long struggle of the Papacy during the Middle Ages it is due that Christianity

has not sunk into a Byzantine servitude. Guizot, the Protestant historian and statesman, gives to the Popes the credit for having "proclaimed and maintained the difference between Church and State, the distinction of the two societies, of the two powers, of their respective domains and rights."

That in waging this titanic war the Popes always kept strictly within their legitimate domain and even used their spiritual powers with the gentleness of pastors, Catholic historians are not concerned to maintain; Popes are human, and it is plain from history that some of them did not always act moderately, wisely and in the spirit of Christ. But they had to do with a crude, brutal power which would have enslaved religion; and in a fierce struggle for the life of the Church such mistakes, humanly speaking, were inevitable. Only in defining doctrines for universal belief are the Popes infallible. They have been unflinching in maintaining the independence of a spiritual realm upon earth; and those who are so ready to pardon the mistakes of the great men of history whose work has uplifted humanity ought to be able to find some condonation for the occasional excessive claims of Popes, when it is realized that their efforts alone saved Europe from spiritual bondage.

When the Reformers rejected the authority of the Church the distinction between the two powers was lost to them. The Church of England became subjected to the despotism of Henry VIII. The latest of the long series of humiliations which this connection has thrown on the Church of England is very recent. After maintaining for generations that the law of God forbids a man to marry his deceased wife's sister, and prohibiting her ministers from celebrating such a marriage, she is obliged to retract her ancient discipline because it has pleased Parliament in which sit Atheists and Agnostics to declare such marriages lawful. The State rules the Church. Lutheranism, so bold in its first outburst, became the creature of the civil powers before Luther's death; it remains so to this day. Zwingli handed over religion to the care of the civil powers. Calvin went to the other extreme. He attempted a theocracy, failed, of course, and his religion likewise was committed to the keeping of the State. Every national Protestant Church has been the creature of the State, subject to it in doctrine, ritual, discipline and government. Only the dissenting sects have been able to maintain a certain independence,

and none of them were averse to union with the State which, with Protestantism, has always meant the subjection of the Church to the State.

The history of the schismatical churches of the East repeats the same story. The Patriarchate of Constantinople was first the creature of the Byzantine Emperors and then of the Mohammedan Sultan. The Church of Russia is the servant of the Tsar. The Churches of the Balkan States, each in turn, broke away from the Patriarchs of Constantinople with the cry, "No head but Christ," only to fall under the despotism of the State.

If history points a lesson, then, it shows that the subjection of the religious to the secular has ever followed separation from the Church of Rome. Now it will be objected that if Protestantism leans too much towards subservience to the State, the Catholic Church on the other hand has often acted strongly against the State, especially in the Middle Ages. I grant it, but I hold it was justified by the consent of nations and the public law of that day. Take the England of that period, for example: "As regards national feeling," says the latest and most scientific Protestant historian of the English Reformation,* "the people evidently regarded the cause of the Church as the cause of liberty. That their freedom suffered grievously by the abolition of Papal jurisdiction under Henry VIII there can be no manner of doubt." Again: "That Rome exercised her spiritual power by the willing obedience of Englishmen in general, and that they regarded it as a really wholesome power, even for the control it exercised over secular tyranny, is a fact which it requires no very intimate knowledge of early English literature to bring home to us."† And Gairdner adds that the separation was brought about by the power of a "despotic king" against the will of the people. In other countries too, as the same writer says, the Popes were on the side of liberty and the people against the despotism of the Crown. The Papacy was then universally considered the embodiment of justice and liberty upon the earth. The Hague Tribunal to-day is a very faint image of the political function and power of the mediæval Papacy; and it is but a voice while the Pope was a living power, restraining and civilizing society. "It is impossible," says the Anglican Dean Milman, "to conceive what had been the

* Gairdner, "Lollardy and the Reformation in England," p. 6.
† *Ib.*, p. 5.

confusion, the lawlessness, the chaotic state of the Middle Ages without the mediæval Papacy." In an age of democracy and liberty some gratitude might be expected for the most powerful defender of the people and of liberty; yet the very success of the Papacy in their defence is the ground of the prejudice that exists against it.

V.

The political authority exercised by the mediæval Popes, then, presupposed a united Christendom and was part of the universally recognized international law. Yet, legitimate and beneficial as it was, it was seized upon by the Reformers as one of their chief arguments against the Papacy, and became one of their pretexts for repudiating Rome's spiritual authority. Ever since, the same weapon has been persistently and effectively employed by Protestant writers and divines against the Catholic religion. In consequence there are many persons to-day who, while they are profoundly impressed and attracted by the beauty, the discipline, the deep spiritual influence, efficient moral force of the Catholic Church, yet hesitate to enter simply because of their views regarding the political power claimed by the Pope in the Middle Ages. That power was lost when the unity of Christendom, on the rise of the modern States, ceased to be a fundamental principle of the law of nations; and when Germany, France, Russia, England and America shall be welded into a world-wide confederation on the plan of the Holy Roman Empire, then and not before need statesmen discuss the possibility of a revival of the mediæval Papacy.

Catholics, then, may subscribe to the fundamental article of English Protestantism, "The Pope of Rome hath no jurisdiction in this Realm," if it be understood of the realm of purely temporal affairs; and while we insist that he has the right to the free exercise of his spiritual authority over Catholics, we believe that in civil matters which do not contravene the moral law, we Catholics owe a full and unreserved allegiance to the civil authorities. The same Divine Voice, as I have often preached in the discharge of my pastoral office,* which gives us the command to render

* See, *e.g.*, the sermon on "Obedience to all Lawful Authority" in my Discourses and Sermons on Various Subjects.

unto God the things of God gives us the other command, of equally binding force, to render unto Cæsar the things of Cæsar.

But an objection is repeatedly cast up to Catholics which, repugnant though it is to my inmost feelings of loyalty and reverence towards the Holy Father, I must take into consideration; for utterly impracticable and absurd as it is in our eyes, it seems to haunt the minds of many outside the Church. Suppose, it is said, the Pope were to issue commands in purely civil matters, should not Catholics be bound to yield him obedience? The Pope will take no such act, we know, even though it is not a part of Catholic Faith that he is infallible in the exercise of his authority; but were he to do so he would stand self-condemned, a transgressor of the law he himself promulgates. He would be offending, not only against civil society, but against God and violating an authority as truly from God as his own. Any Catholic who clearly recognized this would not be bound to obey the Pope; or rather his conscience would bind him absolutely to disobey, because with Catholics conscience is the supreme law which under no circumstances can we ever lawfully disobey.

Some controversialists in this country, gravelled for matter of complaint against the Papal dealings with America, have invented the fable that Pius IX recognized the Southern Confederacy. Of course the facts refute them, as the Pope merely extended to Mr. Jefferson Davis the courtesy which one gentleman owes another of addressing him by his official title. They cling to the serviceable fable; and proceed to shudder at the thought of what might have happened if, in the crisis of our Civil War, the President had been a Catholic. Let me relieve them by stating what would have occurred. A Catholic President would act, under the circumstances, precisely as Abraham Lincoln; he would treat the recognition with a respectful silence, and continue to prosecute the war to the best of his ability. If he acted otherwise he would be a traitor to his conscience and his God, to his country and to the Constitution which he had sworn to uphold. And he would have Catholic theological teaching at his back. The Jesuit Cardinal Bellarmine says: "In order to resist and defend oneself no authority is required. . . . Therefore, as it is lawful to resist the Pope if he assaulted a man's person, so it is lawful to resist him if he assaulted souls or troubled the State and much more if he strove to destroy the Church. It is lawful, I say, to

resist him, by not doing what he commands and hindering the execution of his will." My venerable and learned predecessor in the See of Baltimore, Archbishop Kenrick, speaks in a similar strain; the Pope's "power was given for edification, not for destruction; if he uses it for love of domination *(quod absit)* scarcely will he meet with obedient populations."

We may put aside, then, as an absurdity the injurious supposition that the Pope would ever interfere in purely civil affairs. But is there not a twilight zone over which both Church and State put forth claims? True; and I grant that here a collision of authorities comes more within the horizon of possibility. But the American concept of government and of liberty puts this hypothesis outside the range of practical affairs. That concept, as I understand it, is that the Government should leave as large a liberty as possible to individuals and to bodies within the State, only intervening in the interests of morality, justice and the common weal. There are forces at work in the country, I know, that tend to paternalism and Cæsarism in Government; but true Americanism recognizes that these forces would bring disaster on American liberties. So long as these liberties, under which we have prospered, are preserved in their fulness, there is, I assert, no danger of a collision between the State and the Catholic Church.

The admission, however, of the merely theoretical possibility of such a collision keeps alive the apprehension of timid Protestants and is sufficient to determine some of them to deprive Catholics forever of the honor of the Presidency. But if no man were to be considered eligible for the Presidency unless we were certain that under no conceivable circumstances would his conscience come into conflict with any possible legislation, then the first consideration to qualify a man as candidate for the office would be that he should have no conscience at all.

"But," many Protestants say, "we obey our conscience, you obey the Pope." Yes; we obey the Pope, for our conscience tells us that we ought to obey the spiritual authority of the Pope in everything except what is sinful. "But," they reply, "we do not believe that any human power should come between the human conscience and duty." Neither do we; but while you believe in private judgment, we believe in a religion of authority which our conscience tells us is our lawful guide and teacher in

its own sphere. You say that you believe in religious freedom. Do you, however, interpret this freedom to apply only to yourselves; or are you willing to conceive that to others likewise is to be left the freedom to follow their consciences? You can conceive a State passing laws that would violate your conscientious convictions. Would you accept these laws, or would you resist them as your fellow religionists in England recently resisted an education law of which they did not approve? I think you would not prove false to your religious convictions. Were the State to attempt to compel Orthodox Jews to accept the Sunday for the Sabbath or to abandon certain Levitical observances which are sacred in their eyes, they would not be worth their salt if they did not resist this encroachment on their rights. Similarly, for example, if the State should forbid us Catholics to continue our parochial schools we should resist to the uttermost; for we hold that, while the State has the undoubted right to compel her future citizens to receive a certain degree of education, she has no right to deprive them of the daily religious influence which we deem necessary for their spiritual and eternal welfare, as well as for their proper training in the duties of citizenship. In any such essay by the State to establish Cæsarism, Catholics would behave precisely as any other conscientious body would behave. They would not think it necessary to await instructions from any source. We believe in the sacredness and supremacy of conscience; and rulers of the world, from Nero to Clemenceau, have found the Catholic conscience to be a wall of adamant.

VI.

It cannot but be regarded as strange that Protestants should feel free to assail the Catholic Church regarding her position on the union of Church and State. Wherever in Europe the opportunity presented itself, the various Protestant Churches united with the State: nay, rather, they threw themselves at the feet of the State and said: "Rule thou over us. Be thou our King and our Prophet." But the Catholic Church has always retained her spiritual independence; her union with the State has always been an alliance of independent powers, not the subjection of a vassal to her liege lord. Her doctrine on the subject has been this: in a country wholly or predominantly Catholic, the most de-

sirable relation is the friendly union and co-operation of Church and State, neither power sacrificing its liberty and each acknowledging the other. That this is the ideal relation, provided liberty be assured to those not of the established church, no sensible man can deny. The Catholic Church states in form of doctrine what all history shows to be inevitable: that where the Church and State are practically two names for the nation viewed as a body of worshippers and as a political entity, it is impossible to prevent an intimate union. If my Protestant friends will show me a free nation that really believes in one religion and has no union of religion with the State I will believe the Catholic doctrine unwarranted. But while the union is ideally best, history assuredly does not prove that it is always practically best. There is a union that is inimical to the interests of religion, and consequently to the State; and there is a separation that is inimical to the interests of religion, and consequently to the State; and there is a separation that is for the best interests of both. In our country separation is a necessity; and it is a separation that works best for the interests of religion, as Mr. Taft recently stated, as well as for the good of the State. I fully agree with him, and I can understand too and sympathize with the great Catholic leader of France, the Count de Mun, who recently exclaimed: "In America separation means the reign of liberty; in France the reign of impiety." American Catholics rejoice in our separation of Church and State; and I can conceive no combination of circumstances likely to arise which should make a union desirable either to Church or State. We know the blessings of our present arrangement; it gives us liberty and binds together priests and people in a union better than that of Church and State. Other countries, other manners; we do not believe our system adapted to all conditions; we leave it to Church and State in other lands to solve their problems for their own best interests. For ourselves, we thank God we live in America, "in this happy country of ours," to quote Mr. Roosevelt, where "religion and liberty are natural allies."

J. CARD. GIBBONS.

TARIFF REVISION AND THE NATION'S NECESSITIES.

BY THOMAS H. CARTER, UNITED STATES SENATOR FROM MONTANA.

THE country has commanded a revision of the tariff after nearly twelve years' experience under the existing law. That command presents to Congress a very perplexing problem, which will be more difficult in the absence of a common understanding of the many important factors to be considered in its solution. The partisan contentions and dogmatic assertions peculiar to a political campaign do not tend to induce the calm and calculating frame of mind essential to close analysis, but rather the opposite.

The air is still surcharged with the echoes of such passion-breeding phrases as "robber tariff," "overgrown infant industries," "tariff-bred trusts," "license to steal," "free trade and hard times," "tariff-tinkering," "soup-house tariff," and so on to the end of the list of picturesque expressions so well known to campaign orators and writers.

Ninety-two Senators and three hundred and ninety-one Members of the House of Representatives come direct from the arena of political controversy to organize a Congress which must revise the tariff on a sound basis, with due regard to the business of the country and the necessities of the Government. Responsibility will very soon bring sobriety of thought to the Senators and Representatives, and particularly those of the majority party, for that party cannot evade full accountability to the people for what may be done or left undone in framing a tariff bill. On the other hand, the public at large, not being charged with any direct obligation to take definite action, can scarcely be expected to emerge from the campaign atmosphere well qualified to scrutinize impartially and determine judicially a proper adjustment of the complex relations of one schedule to another, and of both to the revenue required to carry on the Government.

These relations Congress is not at liberty to disregard; and, as the public, inspired by both sentiment and interest, will by petition, protest and criticism exert a potent influence on the law-making body at every stage of the proceeding, it is of the very gravest importance that some common understanding should be reached early in the Session as to certain controlling facts which all must recognize.

It is currently understood that "Tariff Revision" and "Tariff Reduction" are to be regarded as synonymous terms in arriving at a just interpretation of the meaning of the last election.

Market prices are high, measured in dollars without reference to the purchasing power of wages, and the increased cost of living is, in consequence, the subject of almost universal complaint. If wages and incomes can be maintained on the present level, and the cost of living be reduced to a considerable degree, a most satisfactory solution will have been reached; but, unhappily, there are many obstacles in the way. All elements of our economic structure are so interlaced that an artificially maintained high-level of wages, with a low-level of prices for the necessaries of life, cannot long continue. But, while recognizing, as we all do, the desirability of reducing living expenses, we must take into account the fact that Congress cannot exercise unrestrained discretion in reducing tariff duties. The best that can be done, under existing conditions, is to readjust and extend duties so as to correct injustice and inequalities, and increase the aggregate amount of revenue to be derived from customs.

It must be borne in mind that the administration of the Federal Government involves a stupendous business operation conducted on a cash basis, credit being resorted to only in rare instances. The large proportions of the operation render adherence to strict business principles more necessary than in smaller affairs, for a slight deviation from the true line in national legislation may bring disaster to millions of unsuspecting people, whose occupations and fortunes may be seriously affected by the impairment of that confidence in the conduct of the Federal Government which seems to be a necessary inspiration to business enterprise.

In no way can the revenue conditions confronting the new Congress be more clearly set forth than by presenting the estimates of receipts and expenditures furnished by the Secretary of the Treasury for the next fiscal year. These estimates are as follows:

It is estimated that, upon the basis of existing laws, the revenues of the Government for the fiscal year 1910 will be:

From customs	$290,000,000.00
From internal revenue	250,000,000.00
From miscellaneous sources	62,000,000.00
From postal revenues	223,340,712.00
Total estimated revenues	$825,340,712.00

The estimates of appropriations required for the fiscal year 1910, as submitted by the Executive Department and offices, are:

Legislative establishment		$7,316,190.75
Executive establishment:		
Executive proper	$415,510.00	
State Department	288,700.00	
Treasury Department	11,447,836.00	
War Department	2,207,068.00	
Navy Department	836,940.00	
Interior Department	5,232,655.00	
Post-Office Department	1,711,040.00	
Department of Agriculture	14,610,626.00	
Department of Commerce and Labor	1,555,300.00	
Department of Justice	500,680.00	
		38,806,355.00
Judicial establishment		972,160.00
Foreign intercourse		3,880,194.72
Military establishment		104,844,635.88
Naval establishment		121,847,472.47
Indian affairs		11,451,576.05
Pensions		161,018,000.00
Public Works:		
Legislative	7,000.00	
Treasury Department	10,000,000.00	
War Department	112,274,455.83	
Navy Department	12,545,975.52	
Department of the Interior	1,452,000.00	
Department of Commerce and Labor	405,000.00	
Department of Justice	470,500.00	
		137,154,931.35
Miscellaneous:		
Legislative	5,854,987.20	
Treasury Department	24,302,971.07	
War Department	6,957,390.48	
Interior Department	5,479,920.00	
Department of Justice	7,804,180.00	
Department of Commerce and Labor	10,445,545.00	
District of Columbia	16,176,355.52	
		77,021,349.27
Postal service		233,978,560.00
Permanent annual appropriations:		
Interest on the public debt	22,500,000.00	
Refunding, customs, internal revenue, etc.	15,203,500.00	
Collecting revenue from customs	5,500,000.00	
Miscellaneous, exclusive of sinking-fund and national-bank redemption fund	26,892,582.52	
		70,096,082.52
Total estimated appropriations		$968,387,508.01

Thus it appears that the total estimates of appropriations submitted by the several Executive Departments exceed the estimated revenues of the Government for the fiscal year 1910 by $143,046,796.01.

It will be observed that the postal revenues are estimated as approaching within ten millions of the postal expenditures; whereas it is more than probable that the difference between receipts and expenditures in that and other Departments will be such that the total revenues of the Government, estimated on the basis of existing law, will fall at least $160,000,000 below the appropriations for 1910. This prospect is made still more serious by the assured fact that the revenue for the current fiscal year will be at least $120,000,000 less than the necessary expenditures. Thus it is apparent that the deficiencies for this year and next will inevitably wipe out the surplus in the Treasury, and besides create a deficit to be made good by increasing taxes or by the sale of bonds.

To those who suggest a reduction of expenses, as a means of avoiding either of the alternatives referred to, must be assigned the duty of showing where the reductions can be made without injury to the public service or refusal to meet the insistent demands of the people for public improvements and the safeguarding of the nation's interests.

This apparently simple task will be found more troublesome than it seems. Demands on the Treasury have increased at the rate of about ten per cent. per annum for many years past, and this rate of increase is likely to grow greater rather than less in the immediate future if the call is met for larger appropriations for the improvement of harbors and waterways and for the extension of Government activities in numerous other expensive directions. Taking into account only such outlay as adherence to the present scope of Congressional appropriations involves, in what Department or Departments can we so curtail expenses as to avoid bond issues or additional taxation?

If all appropriations for the Congress, the Courts and our foreign intercourse should be omitted, the whole saving thereby made would be only approximately $12,000,000 or about one and one-quarter per cent. of all the annual appropriations. The Executive establishment absorbs about $39,000,000 annually, but the individual who thinks this can be diminished need only serve

a few days in Congress to learn how hard it is to resist the never-ending appeals being made for increase of wages and salaries. Then the normal extension of the service to meet the growing requirements of the country must be considered, so that the Congress that keeps the appropriations for the Executive establishment down to the present figures may well be commended.

No one familiar with conditions or mindful of our relations to the nations of the earth will seriously contemplate impairment of the Army or Navy through failure to maintain both on the present footing at least.

Abandonment of rural free delivery would make up the deficiency in the Postal Service, and bring a profit from it at once, but who would expect the twelve million farmers of the country to submit to a saving of thirty-odd millions annually in that way?

Construction of the Panama Canal, the improvement of rivers and harbors, the reclamation of our arid lands and the prosecution of public works generally might be discontinued in the interest of economy, but the American people would not tolerate such action.

Finally, we come to the item for pensions, amounting to over $160,000,000 annually, and here we could, but will not, curtail to make up deficiencies.

In the last analysis, it will be found, on the closest possible inspection, that the little saving which can be made here and there, by practising the strictest kind of economy, will be more than offset by unavoidable additions incident to the normal expansion of the operations of the Government.

If this conclusion is accepted, and I think it will be, our revenue laws must be so amended as to produce sufficient additional income to pay current expenses out of current receipts, if we are henceforth to conduct the Government business on a cash basis.

The Constitution vests in Congress power "to lay and collect Taxes, Duties, Imports and Excises," subject to certain well-known limitations; and, in pursuance of a policy established under the first administration of Washington and adhered to ever since, Congress, in the exercise of this power, has always provided and will in the immediate future provide for the needs of the Treasury, chiefly by tariff duties on importations from foreign countries and by the Internal Revenue collections.

Income from these two sources is supplemented by the earnings of the Postal Service and by miscellaneous receipts, the latter being comparatively limited, fluctuating and unreliable. While many interesting and plausible arguments have been presented in favor of substituting for the ancient system a tax on incomes or a direct tax on land and personal property, as a means of raising national revenue, it would be but a waste of time to discuss here the merits or the constitutionality of any of the substitutes proposed, for it is apparent that no one seriously contemplates a radical departure at this time from a well-established policy. It follows, therefore, that collections from duties on imports must be taken as a main reliance for income to meet public obligations for an indefinite period in the future. Leaving the deficiency for the current fiscal year to be deducted from the accumulated surplus in the Treasury, we must so revise the tariff as to avoid the threatened $160,000,000 annual shortage in revenue for the next and succeeding years. The aggregate amount to be raised annually for that purpose is disclosed by adding the $160,000,000 to the $290,000,000 estimated revenue from customs for 1910, making $450,000,000. This sum will be reduced somewhat by receipts from the sale of Panama Canal bonds; but, even if such receipts should reach the improbable amount of $100,000,000 during the next fiscal year, we would still be compelled to look to customs receipts for the remaining $350,000,000. In the presence of these figures, how can tariff revision be held to mean tariff reduction? Such a view can only be based on the theory that reduction of duties will so stimulate importations as to increase the aggregate of custom-house receipts. This result would obtain when the best revenue-producing rate happened to be fixed, but such rate could only be ascertained by experience; and then, again, the verdict of the country stands on record in favor of a protective tariff rather than a tariff for revenue only. True, the measure of protection to be afforded is the difference between the cost of production at home and abroad; but we are to have a protective tariff subject to that standard of measurement, and subject also to the imperative requirement as disclosed by the figures quoted that customs receipts shall be made to yield from sixty to one hundred million dollars more per annum than the present tariff law yields.

It must always be remembered, in dealing with these condi-

tions, that every dollar of revenue sacrificed by reduction of duty on one item must be made up by adding an equal amount to some other item; and, moreover, the estimated deficiency must be made up. Of course, the probable increase of importations likely to result from reductions will be taken into account; but, after all increases, reductions and adjustments have been made and the minimum rate for protection with the maximum rate for trade aggression shall have been determined, the vital question of adequate revenue will still remain to be answered only by experience, unless that contingency is provided for in the bill. The safeguard employed to provide against the occurrence of a deficiency should not only be adequate, but likewise so flexible as to admit of increase or decrease by executive action as altered relations between revenue and appropriations might from time to time require. It seems that the evils incident to disorder in such relations can be averted, and reciprocity trade treaties encouraged and made possible by imposing a small *ad valorem* duty on all articles now on the free list. Experience has shown that the Reciprocity policy so earnestly advocated by Mr. Blaine and so often approved by the country cannot be carried forward while duties are levied only on imports coming in competition with home productions for which protection is demanded. The Reciprocity treaties heretofore negotiated by the Secretary of State have failed of ratification, because of the very natural opposition of the manufacturers and producers destined to be injuriously affected by the proposed tariff reductions. The wool-grower cannot be expected to consent to a treaty providing for the free admission of Argentine wool into this country in exchange for the privilege of the free entry of agricultural implements into Argentina. The consideration for the exchange would not pass to the wool-grower, but to the manufacturer of agricultural implements.

The same difficulty has been, and always will be, encountered in every attempt to base a Reciprocity treaty on the sacrifice of any protective duty. On the other hand, it is obvious that the remission by treaty of a duty imposed on any article now on the free list would not be opposed by any one. The Secretary of State would have a free hand, and the dream of reciprocal trade treaties would become a reality. The negotiation of the treaties would proceed with proper regard for the National revenues. If

the revised tariff produced ample revenue independent of receipts from the *ad valorem* duties on non-competing imports, these could be rapidly placed on the free list again as to such countries as elected to give us corresponding trade advantages by appropriate treaty stipulations. A limited free list would probably be required to embrace non-competing materials used in manufacturing in order to avoid the adjustment of compensatory duties, but that is a matter of detail.

The essential fact to which attention is directed rests on the availability of the existing free list as a means of increasing the revenue on a basis capable of being made somewhat flexible by executive action, along lines in harmony with, and in furtherance of, the policy of Reciprocity, to which I believe the American people are devoted. Finally, confronted, as we are, with an imperative requirement for more revenue than duties levied for protective purposes will probably supply, what valid objection can be urged against the levy of a uniform *ad valorem* duty on all articles now on the free list, with the possible exception before stated?

In 1908, the value of dutiable imports was $657,415,920, and imports free of duty that year were valued at $525,704,745. For protection of the revenue, articles imported free of duty are subjected to the same rigid inspection as dutiable articles; and, on general principles, it is difficult to comprehend why the importer should not at least pay the cost of such inspection, unless some compensatory trade advantage is extended to our people in the ports of the exporting country. There is not only an element of justice in the proposed *ad valorem* levy, but there is virtue in the policy in that it would open the way for fair reciprocal trade treaties, which additional internal revenue taxation would in no sense tend to promote.

THOMAS H. CARTER.

BURNS, THE POET OF DEMOCRACY.

BY HAMILTON WRIGHT MABIE.

FRANCIS JEFFREY was arrested on High Street, in Edinburgh, one morning, years ago, by the figure of a young man of striking nobility of bearing and flashing black eyes. As he stood looking, the door of a shop opened and a man came out, put a hand on his shoulder and said, "Aye, laddie, ye may weel look at that man; that's Robbie Burns." There Robbie Burns still stands. Scotland began to look at him in 1786, when the first book of poems came unannounced from Kilmarnock; the English-speaking world has been looking at him for decades. There he stands with those flashing eyes which enthralled Walter Scott; as much a part of Scotland as Arthur's Seat, or Stirling Castle, or Ben Nevis, or those Highland glens through which the clouds pass and repass in endless procession; as the moors, beautiful beyond speech in a silence which is the presence of Nature herself. Burns is Scotland as mountain, loch and moor can never be; he is Scotland incarnate in genius and character; Scotland, pathetic with the tragedy of hard conditions and stern toil and austere poverty; Scotland, victorious in the unbending will, the regal state of the unconquerable spirit, the power of second sight, the vision touching the rugged landscape of work and care with a beauty beyond that which sometimes makes those lowering western skies glorious as the gates of Heaven; Scotland, vital with the humor that springs out of the sense of man's blunders and trivialities against the background of his immortality—the laughter, born of faith and courage and tears, that has been the refuge of Scotland in many a tragic year.

Last summer, in a single week, several thousand people passed through Ayrshire; some of them idle and curious tourists; many of them drawn by the sense of kinship and gratitude that has

made Stratford dear to those who know the greatness of man and the pathos of his fortunes; that makes the Poet's Corner of Westminster as sacred as the altar; that keeps a fresh rose beside the bust of Longfellow; that renews perpetually the wreaths on the coffins of the two poets side by side in the Grand-Ducal vaults at Weimar.

Scotland owed Burns a debt that never can be paid; but how much he owed Scotland! He was born to a great heritage. The fibre of Scotch character—the character developed in a country where there is no servile class, no peasantry waiting hat in hand as the privileged pass by, no brood of beggars living on the dole of the fortunate; where, from the humblest firesides, the passion for learning sends an army of young barbarians, scornful of ease and enamoured of penury, to Glasgow and Aberdeen, to St. Andrews and Edinburgh—the fibre of Scotch character was his; and, before he wrote the song of modern democracy—the exultant chant of the man who counts because he is a man—Scotland had lived by that creed and died for it. Stern independence, lofty pride, dauntless courage—these were in the blood of the Scotch. They were often monarchists, they were never courtiers; they could die for their kings, but they could not bend the knee to them.

Rugged as their climate and soil made them, thrifty and laborious as stern conditions compelled them to be, standing century after century, sword in hand, with their backs to the wall, they were always lovers of poetry, dreamers of dreams, spinners of stories, children of romance, given to impossible loyalties and lost causes, frugally counting the cost to the utmost penny, and then casting prudence to the wind and putting the last penny to the hazard in some desperate idealism. This is the very stuff of poetry—heroic character and daring imagination, the warp and woof of the Scotch nature; stern as Knox, tender as Effie Deans. No one who has seen Scotland, who has looked at her rugged and often magnificent landscape, has failed to feel the invisible and brooding spirit that envelops that landscape like an atmosphere, and reveals its presence in a thousand humble ways.

A Scotch writer of distinction told me a few years ago that in the May of that season he had been in the Isle of Skye, where he had been known since childhood. As he walked one day up a path on the rugged coast he came to a little hut in which

lived an old Highlander; a man past eighty, who could neither read nor write, and had never been off the Island. The door stood open, and the little house was empty. Looking up the path, he saw the old man standing a little in advance, his head bowed and his bonnet in his hand. He hesitated a moment to speak to him; then, when the old Highlander raised his head, he said, "Sandy, I didn't interrupt you because I thought you might be at your devotions." "Well, not exactly that," was the answer, "I have come out here every morning for forty years and taken off my bonnet to the beauty of the world." In a country in which illiterate old men go out and bow to the splendor of the universe the poet and romancer are bound to appear.

Burns owes Scotland a great debt for his education. He is often classed with Shakespeare and Lincoln as an example of what the uneducated man can do; as if genius had no need of training. What is education? Is it a beaten highway, or is it any path that takes a man to the summit? Is it a system of study, or the enrichment of the spirit and the setting free of the personality? Is it discipline and knowledge, solely; or is it the awakening of the imagination, the creative faculty that has formulated the religions, and built the temples, and sung the songs, and written the poems, and discovered the continents, and ruled humanity not by the petty interests of the hour, but with that vision of the future which we call statesmanship? Education? Is it rule and measure; is it method and process; or is it the firing of a man's soul, the loosing of a man's hand, the invigorating of a man's will for the great adventure of life? Shakespeare was not immersed in the knowledge of the schools, but he was plunged headlong into the knowledge of life; Lincoln was, for his work, the best-trained American of his time. Burns, the greatest of song-writers, the most vivid, moving, heart-lightening, heart-breaking poet of the Scotch home, the Scotch fields, the Scotch rivers and the elemental passions asleep or stirring in the souls of men, had the best, because the most vital, education; and the only education that counts with a man of genius is that which vitalizes and inspires. Burns had three rare teachers: one, a country schoolmaster who taught him the only thing he needed to know by rule,—the meaning of words and how to make the simplest speech serve the highest uses of the imagination; another, the bonny Ayrshire lassie who was

his mother, who sowed by the way when the virgin soil lay open to every night of dew and every morning of light; who took him by the hand and led him to the greatest of his teachers—to Scotland waiting for her poet in the fairyland of legend, song and story. In the days when his imagination was opening to the wonder of life, she bathed him in the running streams of poesy that flowed from the deep places among the hills, and made the homes of labor and hardship beautiful as the flowers that are set in the little gardens; and, years after, when Burns fell on his knees in Dunfermline and kissed the spot where rests the heart of Bruce, he knelt at the innermost shrine of his education. He learned the songs of Scotland by heart, repeating them as he drove his plough or walked to his work; sounding their music to the depths and mastering their magic by the ear, which is the secret of his command of the poetry that sings. After a generation of teaching poetry by text-book, chart, blackboard, lecture and examination, we shall be compelled to go back to the training which the Greek boys got from their Homer; which Shakespeare received when England was a nest of singing birds; which came to Burns and Scott from the poetry floating like the clouds in the air above Scotland.

Suddenly, out of his obscure youth, the ploughman, born in a clay house on the road that runs from the Bridge of Doon to Ayr, emerged into fame; to touch the country about him, river and vale and village, with the light that gives immortality to all upon which it rests.

He was not to deal with the rich results of thought, as Tennyson did; nor with the free impulse of personality, daring to assert its right and use its power, as Browning did; nor was he to record the reaction of knowledge on faith, as Arnold did; his business lay with the human heart and its elemental passions, with the great strains of independence, self-reliance, indifference to badges of success and the insignia of place and power. It was his to render the landscape of Scotland with unrivalled power of truth and imagination, to fling wide the door to the Scotch fireside without violating its sanctities, to give the elemental passions a voice vibrant with pathos and mirth and tenderness, to strike the keynote of democracy with resonant and compelling authority.

He became a poet of the fireside and of the sturdy Scotch in-

tegrity; the most intimate singer that Scotland has ever known, and the dearest; the most daring poet of manhood who has set the soul of democracy to music. He was strongest when he was dealing with the simplest human emotions in the simplest speech; his art was weak only when it yielded to the influence of sophisticated society. It was in the fields that he found the "wee, modest, crimson-tipped flower" and the "wee, sleekit, tim'rous beastie"; it was in the simplest homes that he saw the tender and beautiful drama of the family in the "Cotter's Saturday Night"; it was out of such homes that Mary Morrison and Highland Mary came; it was at the wayside inn, on the country road, and in the highway about the rural kirk that he found "Tam o' Shanter," "Holy Willie's Prayer," keen to the edge of irreverence with biting irony, the "Address to the Deil," the "Holy Fair"; it was out of the very heart of Scotland that "Auld Lang Syne," "John Anderson, my Jo," "Wert Thou in the Cauld Blast," and "A Man's a Man For a' That," issued like fresh streams from hidden springs.

Burns had great gifts: a striking personality; an imagination at once daring, graphic and poetical; a vigorous and powerful mind that in any field would have put him with the best; a rich, rollicking, audacious humor, one of the rarest and greatest of original endowments; a heart that knew all the depths of pathos, a hand that could touch all its keys, and a genius for using words as if he had made them. He had also the great gift of passion which is part of the creative impulse, though he suffered it too often to inflame rather than to inspire him. His, too, was a penetrating and destructive irony which gives "Holy Willie's Prayer" and the "Holy Fair" a quality of truth that seems to erode the metal and sink its lines into the plate like an acid. He had fidelity to life in details, and a wonderful freshness in giving detail life-likeness; he had the largeness and freedom of a powerful intellect, and the fierce and at times reckless energy of a great but imperfectly controlled personality.

When he sings the equality and dignity of man as a man, he strikes notes that have reverberated through the English-speaking world; when he sings of the sorrows and sweetness of the home and the tenderness akin to pain of love, he touches the sources of smiles and tears; when he gives free reign to his genius for touching life on the quick, to his rollicking and audacious

humor, and to his fresh and vivid diction, as in "Tam o' Shanter" and "The Jolly Beggars," he achieves, as Matthew Arnold said, "superb poetic success." But Burns is dearer to us most of all in "Auld Lang Syne," in "Duncan Gray," in "Whistle and I'll Come to You, my Lad," and a dozen other songs, compact of the stuff of poetry which, once heard, lingers in the ear and lives in the heart. His was a tenderness akin to tears; piercing pathos; sparkling wit; a manner at once intimate and masterful; a sense of human fate appealingly tragic or touched as by a wing astray from Heaven.

An awful catastrophe has blighted a section of Sicily; but Sicily lies forever smiling and secure in the verse of Theocritus; so simple, so rustic, so instinct with life. So Scotland lies beyond the touch of time and change in the songs of Burns. How deep are the roots of his art in the soil of life, how far below the surface lie the springs of his inspiration, how fresh and vital, how domestic and intimate, how tender and deep is the skill of the heart which has made Burns the best-loved poet of the race, and given his songs the sweetness and the sadness, the mirth and the pathos, of the meetings of lovers and the partings of friends the world over!

We have not forgotten his faults; they too are a part of his story, to be told and retold to the end of time; but how radiantly the light of his genius shines across the storm of his life, full of warning, full of splendor! Let them judge who will; we, at least, will stand silent in the presence of this tragic victory; this mortal infirmity rising to immortal achievement. In his memorable essay Carlyle wrote that the world is habitually unjust to its men of genius; it decides, like a court of law, by dead statutes, and not positively, but negatively, less on what is done right than what is or what is not done wrong. When two ships come to anchor,—one stained and battered and half dismantled, with broken spars and tattered sails, and the other clean and trim, with straight masts and white sails,—before you pass judgment find out what voyages they have made; one may have but crossed the harbor, and the other may have come round the world!*

HAMILTON WRIGHT MABIE.

* The substance of this article was delivered before the Burns Society of New York on the occasion of the celebration of the one hundred and fiftieth anniversay of the birth of Robert Burns.

THE POSITION OF WOMAN.—III.

EXPANDING ACTIVITIES AND OPPORTUNITIES IN AMERICA AND ENGLAND.

BY THE DUCHESS OF MARLBOROUGH.

A CERTAIN purposelessness and want of union have prevented woman achieving an equal place with man in activities of a commercial or political nature. Especially in the middle and upper classes, where woman's duties are reduced to overseeing, woman is in danger of becoming a more or less useless companion to man. And in the lower classes, where woman has been forced to seek work in the labor market of the world, what has she achieved there? Here her want of union, her inability to co-operate, have had even more disastrous results. The young girls dependent on their fathers, but anxious to earn a few shillings to enrich their wardrobes, the mothers pressed to increase the husband's meagre earnings in order to support a large family, have joined the great army of labor not on equal or even just terms. In eager haste and driving fear, they have sold their work at half its worth and in blind perversity hastened to undo their own ends by underselling man's work and lowering the standard of wages. When some of the more intelligent, realizing what they had done, tried to form trade-unions, they met with resistance and incapacity everywhere; and it was only by calling in man's aid and in many cases joining his unions that woman learned to protect her industrial value. Even now, how low it is rated notwithstanding that woman's work is, in trades and industries suited to a woman, quite as good as man's, if not better.

The first beginnings of Trade-Unionism among women in England took place in 1874, and the founder, Mrs. Emma Paterson, went to America and found out for herself how Women's

Trade-Unions and Friendly Societies, already successfully started in that country, operated. She came back fully resolved to do something to improve the conditions under which women labored in her own country, and began by publishing a paper in the "Labor News." Before her death, in 1886, she had succeeded in firmly establishing the principle that woman must unite to protect their interests, and in placing this truth on the practical foundation of Trade-Unionism. It still remains a problem how to induce women to fight for their rights. They have been in a subservient and irresponsible position for so long that they have come to accept whatever is sent them with a philosophical calm and lethargic indifference almost impossible to rouse. The writer has herself visited Clubs in the East End of London, composed of girls working in factories, where they earned a miserable pittance and worked from eight to twelve hours a day. When she tried to impress on them that these were not fit conditions for their acceptance, and that their Club should become a co-operative union to resist unjust terms, instead of being merely a social centre, they smiled hopelessly as if at some wild but yet pleasant fancy and returned to the dreary monotony of things as they were and would to them remain. It takes something more than mere environment to account for such hopelessness; it is hereditary, instinctive and unreasoned. We have seen to some extent the primary causes that account for woman's lack of initiative outside her home; we have seen her more and more confined to her activities by man's assumption of labor and control; we have watched her outbreaks of energy, always occurring when a freer education had stimulated her moral activities, or man had tried to withhold a prerogative she had learned to enjoy. We have noticed that she has not been slow to avail herself of moments of confusion, or movements heralding reform, to press her own cause. We know also that the present time is one of unequalled activity among women, that in science, law, metaphysics, medicine, industry, political economy and politics, women are rising to the foremost ranks. More especially in England, where women outnumber men by the terrible majority of a million and a half, do we find the fight for political franchise and the assertion of equality it implicates at its height. Here women are at last uniting in one great determined body to insist upon the completion of

that long march towards the gates of freedom begun by women insidiously, furtively, individually at first, but now in a body, openly, courageously and like men. It is because womanly measures have failed to open the gates that they have resorted to more masculine ones. Not because they enjoy going to prison or making themselves objectionable, but because they know that no great reform has ever been brought about without public agitation of a more or less aggressive character on the part of those directly concerned.

If you have a sore and hide it, you are not likely to be admitted into a hospital; if you have a grievance and do not ventilate it, you are not likely to meet with redress. What type of woman is it that furnishes these would-be reformers? Is it the lower class—patient, hard-working, almost mechanical in its suffering and endurance? No, for they have not the time to spare, nor the imagination to appreciate the rights that some day will accrue to them. Is it the upper class, wasteful of opportunity, contented in their surroundings and but half-awake to the great purpose, passing it by? No, for they are too fearful of the world's reprobation, too satisfied with their own conditions and too engrossed in self-culture and self-ease to do more than discuss the probability of eventual success or failure. And so, unlike the Roman matrons of patrician descent, it is not England's aristocracy that claims a senate, or the right to vote. It is indicative of the times and the nation's thought that it is the great class of intelligent, independent and successful earners of salaries who are leading this movement—women who have entered into dignified professions, who are leading honorable lives, independent and self-supporting, women who are householders and taxpayers, and whose eminent capability and judgment render them efficient controllers of the right of citizenship. These are the women who are suffering imprisonment and ridicule for the sake of a right they deem in justice due, not only to themselves, but to the great class of struggling, suffering, unvoiced womanhood, too weak to cry out, too downtrodden to rebel, too uneducated to understand, but not too insensitive to suffer. For those women now crowding the public houses to find forgetfulness in drink; for those women condemned to a vicious, shameless life; for those underpaid, underfed, overworked, that congest the labor market and undersell their work; for those

unprotected, uncared for, degraded and abused—those are the ones they go to prison for, that their legislation as women for women may some day redeem their unfortunate sisters. And thus it would seem that the responsibility of work had wakened in woman a purpose and an incentive not known to her more indolent sister.

Turned from the adventitious character of the pretty proselyte whose unavowed object is no other than marriage and whose purpose in life ends with marriage, the serious woman has established a goal less personal and less selfish. Not that we would decry marriage as a laudable and commendable goal; but life does not end with its attainment as fairy-tales would make us believe. Woman's real life and purpose more often begin after marriage than before, and it is the choice of such an aim that this article would wish to stimulate. Domestic requirements no longer sufficiently employ either the modern woman's time or her intellect. We are now speaking of the woman who has servants to accomplish what in former days used to be her duty. Neither do children fill up her leisure. Public and private schools, governesses and tutors, have taken away one of woman's most sacred duties. She can still supervise her household and the education of her children, giving that *coup d'œil de maître* and bestowing the mother's influence none other can equal; but her time is not filled, and failing a more serious interest, a fussy attention to small details will monopolize her mind. And this is what many brilliant women are apt to degenerate into from lack of opportunity and purpose. In England, where class obligations exist and women have been brought up with a sense of responsibility towards society, the duties imposed upon her are of a various nature. There are, in the first place, the responsibilities incumbent upon the chatelaine of a country place, remnants of feudal obligations.

Her duties are many and varied, from the distribution of blankets and coal in winter to the entertainment of school children in summer. Again, she is the natural head of all the village organizations, the club-rooms, nursing association, beekeeping society, flower-shows, etc. If endowed with the ability to organize she will probably play a leading part in the charitable enterprises of her county. She will have to attend and preside at numberless meetings, flower-shows and bazars, visit hospitals and workhouses, care for the poor and destitute, and get to

know every one, and his and her wants individually, and may still incur the gentle rebuke of an old blind widow, "You have not been to read to me for a long time, and I have missed you sadly." Perhaps a rebuke, and yet what a gracious compliment! With an education such as this, it is readily understood that an English girl brought up in her country home must have some conception of what duty to her neighbor means, and if she does not live up to it an attendant unpopularity will be hers.

In London itself, the requirements are less direct, but political leagues, charitable associations, hospital committees and the hundred and one appeals continually launched for financial aid and personal influence give every one a chance of serving public utility. The wife of a Member of Parliament is expected to discharge all sorts of duties, political, charitable and ornamental, for the constituency regard her as their own bright star and bottle-washer combined. Of late years, the fashion for women to speak when presiding at bazars, prize-givings and political functions, has become general, and a woman who declines to "say a few words" is looked upon as depriving the audience of a right of criticism which is now part of the day's amusement.

Debating societies, lectures on "how to take the chair," "the tricks to avoid when speaking," "what not to do with your hands when on your feet," have become part of the curriculum of the woman of the world. Women's clubs, political leagues, debates, lectures, fill many a day. Many women have a pet charity or institution dependent on their exertions, and that takes time and thought to keep it going. In fact, a woman who wishes to find an outlet for her energies enjoys every opportunity; the only danger is that she may take up too many interests, so that with multiplied and divergent claims she may be unable to further any one in particular. Again, a real objective must be kept in view, and the interests most adapted to her position or individual capacity should be the ones to command her attention. It is just as needful for a society woman to specialize in her interests as it is for a woman practising a profession to confine herself to its scope. In these days of specialized effort, one cannot be a Jill of all trades nor a finished performer on more than one instrument. One can, of a truth, be the patroness of all good objects, or the patron saint of all virtuose talent,

but this is at the best a negative function, and unless individual effort and thought are put into every scheme or work, it counts for little in the end.

The difference in the field of activities of an American compared to that of an English woman are thus very marked at the outset. In England, the channels of activity were dug centuries ago, and the course of time has but broadened their bed. If with the expanding sphere of woman's influence new tributaries are flowing into these channels along with the old ones, they all trace back to the same source—woman's willingness to co-operate with man in sharing the responsibilities as well as the benefits organization confers. Man has trained woman in the older country, and if she is now outstripping the limitation he has marked for her, it is because the time is ripe for her to conquer new territories. Woman's political activity is but an outcome and a corollary to the problems of industrial competition she has had to encounter, and an adjustment to the new activities her economic position as an independent wage-earner has insured. With her independence have come new liabilities, with her liabilities the desire for equal protection—a protection that can only be secured by a voice in the Government she helps to maintain. There is no doubt that questions affecting her immediate surroundings are best left in her hands. In primitive times, woman, as we have seen, controlled all domestic questions. Thus questions of sanitation affecting food-supplies, milk, water, drains and ventilation, questions concerning the education of children, their employment in factories, the regulations regarding the employment of women, the administration of relief to the poor, would be better and more effectively dealt with by women than by men. And in time such matters will no doubt be controlled by boards composed of women. Practice is, however, necessary before execution, and all women would do well to prepare themselvs for this eventuality.

In America we have the advantage, as well as the drawback, that accompanies the absence of the well-marked rut of precedent. Here Society can recognize its own obligations and launch into fields of endeavor, not wider, perhaps, but capable of more scientific treatment, of more economical efficiency and of yielding more practical results. Unhampered by conservatism and prejudice, practical philanthropy is walking hand in hand with applied

science, and woman's sphere of utility attains undreamed-of proportions. There has never been a time when the State was more willing to help private endeavor of a philanthropic nature; is not this also a door to more intimate knowledge with those departments of public affairs woman will in time want to control? Besides the great philanthropic work open to woman in America, there is the province of politics which she has not yet touched. Her reasons for abstaining from contaminating herself with anything so sordid have been amply demonstrated, and there is no doubt that to a certain extent the element of the so-called professional politician has been a deterrent to her influence. But woman's office is to elevate—her presence to purify—and the day is not far distant when woman's influence in politics will be wanted. The selfish boss, possessing unlimited power and recognizing no responsibility; the wire-pullers, unscrupulous because of their unknown identity; the political scavengers that haunt every office—all will in time recede before the true and self-respecting representatives of the people. With the election of disinterested and scrupulous men to the minor legislative bodies the people will resume the control and direction of their own affairs, and it is for woman to help to bring about such a result. Woman's influence must first find its way through indirect channels. Merely to encourage husband or brother to enter the political arena is the first step. The second comes almost naturally—to go to his meetings, to help him in his campaign; to interest oneself in his business and in the welfare of the thousands of employees he may have working in his factories; to provide clubs for them, and reading-rooms; to have meetings of a social nature for their wives where politics will gradually come to be discussed in the proper spirit and in the right light. All this done as a friend, not as an interloper or generous patroness, tends to create the good feeling between employer and employed that should by right exist if each is doing his best. Many tell one that such a course in America is impossible, that the men are too independent and would resent interference. But if made in the right way, men do not resent, but welcome, any effiort on the part of the employer, animated by the feeling of brotherhood, to get into touch with their point of view. The socialistic fallacy dinned into their ears that what is good for the employer is bad for them, and

vice versa, must succumb before such direct appeal. There are certain public duties belonging to every position in life, and the mere fact of citizenship holds a responsibility for every unit in the State which it should be his pride to discharge. Women are citizens too, and if they aspire to the privileges the status confers they must learn to live up to its responsibilities. If such views were held by the rich as well as by those numbers of women who so willingly work in the service of the State, arraignments malicious, unjust and libellous such as are written against society now would lose every little semblance of verity they possess. Mr. Upton Sinclair could no longer wield the stinging lash of his rather meretricious invective, nor vaunt his never-failing panacea of socialism. Here is an opportunity for American women to win the praise their intelligence and ability have so often called forth. There is every sign that at the present moment a disintegrating force is at work undermining public confidence and frightening the lethargy of those who seemed secure. Whatever this force may spring from, its presence cannot be ignored, and is a danger to the community unless directed into channels of systematized reform. It is useless to meet a great problem with hasty and ill-prepared mind, it is equally futile to stem a steady current with a dam whose foundation is not solid. The socialist propaganda has been called to life in a large measure by the neglect of some of those who occupy prominent positions to recognize the tremendous responsibility that wealth has placed on their shoulders. Unscrupulous platform orators and writers have held these up to public scorn, neglecting to mention the good deeds of those whose conscience is proportionate to their means.

There is no doubt that to administer charities successfully so as to create the greatest preponderance of utility is a difficult task and one worthy of the consideration of the soundest and most capable brains. There is also no doubt that the responsibilities of great wealth are often puzzling, discouraging and strenuous. But the work of administering a fortune fairly in providing for personal requirements and in furthering reproductive schemes, is one of intense interest, and one that may well fall to the women in America, where men leave so much of the distribution of wealth in their hands.

It is an administration which demands the closest personal

attention in order to succeed in its aim. The mere fact of handing $100,000 to an institution does not constitute a recognition of such a responsibility. It is, on the contrary, an open invitation to others to accept that responsibility. The writer believes that specialized effort should be woman's purpose, and that, in thus advancing socialism in its most favorable aspect she would create an ideal worthy of a unity of purpose—the socialistic ideal being for every member of the community to have a given task and an appointed place in the working of the great state machinery. That this task should be suitable to the individual's mental and physical capacity is their contention. Why should not women then take this ideal and make it their purpose in life? Motherhood, as we have seen, covers but a small period of a woman's existence. There are, therefore, many hours spent in futile endeavors to make the time pass, in self-culture, sports, frivolities, psychological experiences, often dangerous and exhaustive, and much money, time and energy is spent in rounds of expensive and luxurious entertaining, that leave her empty and disheartened at the end. Why not live life scientifically, the best suited for the given task? And by the best suited is not only meant the most mentally gifted, but the best suited in position, opportunity, wealth and capabilities—in fact, the socialist ideal personally adapted and lived up to. When a woman has to work for her living, she naturally adapts herself to her environment and calls out whatever strain in her own nature most readily responds to it, and then chooses a profession and mode of life accordingly. The writer's point is that women who are not obliged to work for a living should work in one way or another, either politically, artistically or philanthropically, but always personally, with the avowed purpose of living up to the responsibility fate has imposed upon them. We have seen how, without purpose, the women of the past grew disorganized and lost all aim in life, drifting into that adventitious position that prevents the accomplishment of any real reform. Let women, therefore, unite in purpose, and let their purpose be the recognition of those higher responsibilities we owe the State, so that when the time of realization dawns we may not be unprepared to accept those duties and cares the rights of citizenship will involve.

CONSUELO MARLBOROUGH.

GERMANY IN TRANSITION.

BY ANGLO-AMERICAN.

THERE is no European nation that has altered within a single generation in so many essential qualities as Germany. With the visible tokens of her development every one is familiar. A congeries of petty, disjointed, quarrelsome, half-moribund States was welded thirty-eight years ago by the interdependent processes of war, diplomacy and spoliation into a powerful and united Empire. The white heat of that superb achievement seems to have transmitted itself through every vein and to each extremity of the body politic. The impulse it generated has electrified every form of national endeavor. From St. Petersburg to London the world of European politics, if it does not to-day, as two years ago it unquestionably did, wait expectant upon the German lead, at least revolves, and not always of its own free will, around the German centre. When the Wilhelmstrasse intervenes in any question, that question acquires at once a new seriousness, and the cleverness with which most of Germany's moves are calculated, the suspicions and to a very large extent the ignorance that surround her policy, and the formidable power she can always summon to enforce her decrees, invest her every action with a far-reaching anxiety. The Kaiser holds a position of actual and potential power almost Napoleonic in its range and effectiveness. He is the head of the greatest and most scientific army in Europe and perhaps in the world. His navy is an instrument of admirable potency, fashioned with the microscopic carefulness that in 1870 made Germany invincible on land. He is bidding with unexampled boldness, and, what is far more pertinent, with unexampled success for that dual supremacy of military and naval power which all the authorities have told us is beyond the material competency of any one nation. The State organization

at his disposal is assuredly the most efficient and the most intelligent in Europe. Nor is it only in administrative perfection and material resources that the Kaiser is strong. He is strong, too, in the character and qualities of the people over whom he rules, a virile, supremely capable nation, thrilled with the consciousness of being on the crest of the rising wave and looking forward to the future with an almost defiant assurance of success. Sixty-two million Germans, organized into a State that lies round the very heart of Europe, are not, unless the world has egregiously misread them, the people to feed or flatter the complacent opinion that the epic phases of history are over and done with and that all national ambitions on the old devastating scale have exhausted themselves. Putting the Japanese on one side, of whom I cannot speak from personal knowledge, I should say that no more thorough, energetic and disciplined nation exists on this earth to-day.

How have unity, prosperity and Imperialism, which have so suddenly descended upon a country devoted to plain living and high thinking, affected its spirit, its moral fibre, its conception of life? That there has been a change and a deep one the very stones of Berlin cry aloud. The great city on the banks of the Spree, a generation ago little more than a placid village, is to-day a strident metropolis, whose whole style of existence marks the vastness of the distance that Germany has travelled in the last forty years. There may be plenty of high thinking done in the capital—done by men whose salaries, worldliness and activities make the old type of German professor seem an impossible anachronism—but it is certainly no longer a city of conspicuously plain living. The rents are such as to open even a Londoner's eyes, household expenses are proportionately severe, and the clubs, the theatres and, above all, the hotels and restaurants, point in a direction that does not lead by any means to economy. There are hotels to-day in Berlin that are little, if at all, behind the best of those in New York. True, they are not built for, and possibly are not greatly patronized by, the Berliners themselves, to whom the café is still the choicest and most popular resort, but their mere presence suggests an emphatic change from the old ways. Berlin is as much an affair of our own time as Chicago. Its past is so overlaid by the raucous and insistent present that the most pertinacious search can hardly disinter it

or the most visualizing imagination recall it. It is a triumph of mechanics and little more. One feels the lack of a background; one is conscious of no historical evolution. True, the labor of building it has been far more dexterously hidden than is the case with most American cities. It escapes the deadly uniformity, the prosaic rectangular precision, the dreadful air of having been hit off at a stroke and dumped down by contract, that characterize New York. The streets have curves, are spacious, shaded with avenues of trees, faultlessly asphalted, and clean with a cleanliness surpassing that of Paris. The white buildings, the crystalline air, the uniforms and the eternal salute, the overwhelming intonations of a planned, ordered, thought-out scheme, combine to produce an effect of which I can say no more and no less than that it is handsome. The architecture, to be sure, is riotously, exuberantly florid, but, for all that, a drive from the Unter den Linden to Charlottenburg will take one past a succession of finer, or at any rate more imposing, houses than either London or New York can show in such serried profusion. As for the official architecture, it is under the Kaiser's personal and directing patronage and therefore beyond criticism. But if Berlin just rises above imparting to one the American impression of a gigantic counter, it fails altogether to convey the London or Parisian effect of cosmopolitanism. The essence of cosmopolitanism I take to be a mellow something in the social air, a spreading spirit of the tolerance that comes from experience, of easy-goingness, of assured standards, of wide and quiet intellectual interests. But that is anything but the "note" of Berlin, where Court and officialdom only serve to put a little gilding on a life full of crudeness and materialism, where the military caste dominates everything, where society is furiously, spitefully sectional, and where, except for a bounteous supply of cheap and good music, there is hardly anything to alleviate the stridency of a rather mean and arrogant utilitarianism. Berlin, if not cosmopolitan in itself, stands near enough to the cosmopolitan whirlpool to be sprayed by the scum. It flaunts a coarseness of depravity that is not, I think, equalled anywhere. Pornographic literature of the most revolting and debasing character is becoming there as great an evil as it ever was in Paris. In no European capital do the standards in matters of taste and art and the minor embellishments of life rule so low. Berlin is a parvenu city, given

over to money-getting, "pleasure," extravagance and officialdom.

In these and many other ways the new Berlin symbolizes, though in an exaggerated form, the new Germany, a Germany that has turned her back on much that was once her chief glory to plunge after material and convertible success. There has been a change of national front, a revolution and a lowering of the national ideals. That intellectual cosmopolitanism which used to be one of the most admirable and seductive of German traits has vanished along with the dazzling succession of authors, scientists and philosophers who were its embodiment and the unworldly professors who fostered and perpetuated it. There is little "heat of pale-mouthed prophet dreaming" in the Germany of to-day. The idealism and love of science and knowledge for their own sakes that marked the *ante-bellum* generation and constituted the nation's high, austere and distinctive claim to honor and influence, have been replaced by a bald and repellent utilitarianism. A new luxury, restlessness, discontent and chauvinism have invaded all classes. Modern Germany, pursuing wealth with an almost American ardor, has cultivated with assiduity and not without success the amenities and what Burke called "the solemn plausibilities" of life, has become more polished, more ceremonious, more preoccupied with the small niceties and embellishments of social intercourse; but has lost, or is rapidly losing, the old simplicity and purity of manners. The fact and the significance of this transformation are the themes of ceaseless threnodies in Germany herself and the starting-point of nearly all the innumerable foreign writers who have made her evolution their study. The latest of them, Mr. W. H. Dawson, says:

"A new spirit has entered into the national life. If the first half of the nineteenth century witnessed in Germany the reign of spirit, of ideas, the second half witnessed the reign of matter, of things, and it is this latter sovereignty which is supreme to-day. A century ago Germany was poor in substance but rich in ideals; to-day it is rich in substance, but the old ideals, or at least the old idealism, has gone. . . . For the present the assertion of modern Germanism is the assertion of material force, and it remains yet to be seen whether behind that assertion of force there is a spiritual influence that will permeate society and so become a permanent factor in civilization. We know what old Germany gave to the world, and for the gift the world will ever be grateful;

we do not know what modern Germany, the Germany of the overflowing barns and the full argosies, has to offer beyond its materialistic science and its merchandise, or whether the later gift will be of a kind to call for either thankfulness or admiration."

Given the external revolution — the mastery of the German Confederation, the war with France and the unity of the Empire—the internal revolution had, of course, to come if what had been won was to be held, developed and made the jumping-off ground for future triumphs. It is the Zeitgeist that is answerable for it at least as much as the German people. One may lament the completeness of the supersession of the old Germany, but it is more instructive to trace out its symptoms and consequences. They are sufficiently abundant, and I do not aim at enumerating more than a few of them. Education, to begin with, has been thoroughly materialized. A hundred years ago speculative philosophy and the humanities were in the ascendant; to-day their place is taken by natural science bound to the service of commerce and the "practical" professions. The hope of a harmonious balance between the economic and the moral side of German development is being steadily sacrificed. "A great number of students at German universities," says Professor Friedrich Paulsen, "no longer come in contact with philosophy at all, and a deplorable lack of familiarity with the ultimate problems of existence and life is, accordingly, to be found amongst the educated classes, even amongst those who have received an academical education. Vague scepticism, materialism of the most superficial description, eclecticism void of any philosophical principles, uncritical submission to every latest craze in the garb of philosophy—these are the consequences of the disappearance of philosophy and its clarifying influence from the school." And they in their turn encourage the subordination of everything to the knowledge that pays; encourage, too, a flightiness and superficiality of mind that threatens the overthrow of the traditional German culture. Mr. Wolf von Schierbrand even declares that from a pre-eminently reading nation the Germans are becoming the very reverse. "Whole strata of German society," he says, "have begun to affect, or to really feel, a deep contempt for books, for book learning and for all that books can teach." His volume, "Germany," bears repeated witness to the effects upon the German people of their rush into city life just at

a time when they are losing their spiritual faith in theories of moral restraint. Crimes against property and morality have multiplied in Germany in the last thirty years with an appalling rapidity, and financial juggleries have kept pace with them. It is becoming increasingly difficult to find men who will enter the Church. Even the Government service barely holds its own against the attractions and rewards of a commercial career. The best business brains of the country are no longer to be found in the bureaucracy. "Men of wealth now occupy a different position in popular estimation from that formerly held. The German public is as much interested in their millionaires and industrial dynasties as Americans are in theirs. Luxury is everywhere apparent—in the stores and shops, in the display of fine clothes and jewelry, at social gatherings, in the appointments of houses, exteriorly and interiorly. Fine palaces are reared by the wealthy merchants and manufacturers in the large cities and towns, and beautiful country residences in the fashionable suburbs, with spacious grounds adjoining." Prince Bülow recently lamented the disappearance of the old German frugality:

"I will speak plainly—I say that we are living in an age of luxury, and in an age which overrates the value and importance of material enjoyment, which must inspire with serious anxiety every one of us who has at heart the true civilization of the mind and spirit of the nation, which is its highest welfare. All of us must in all respects return to a more economical mode of life and to a greater simplicity. Yes, all of us; I make no exception. Simplicity of life is more honorable and more meritorious, and it suits us Germans of all nations better than the life we are now leading."

Among the tokens that are calculated, in the Chancellor's words, to inspire "serious anxiety," is the fact, always an unhealthy fact, that the marriage age among the higher classes grows later and later. The number of unmarried women of a marriageable age—estimated at considerably over two millions —and the great increase in divorces emphasize a growing social unsoundness; and the many scandals of recent years among the aristocracy, which is always and in all countries the first class to show the taint of corruption, point to an unmistakable decline in the standards of national morals. The revelations of the successive trials that sprang from Herr Harden's attacks upon the court camarilla were symptoms—extreme and untypical symp-

toms, it is true, but still symptoms—of a real and pervasive deterioration. In a vivid and brilliant, almost too brilliant, chapter in his book on "England and Germany," Mr. Austin Harrison has tracked the flood of German materialism through a multitude of channels, and is undoubtedly right in finding in it the real driving power and the special characteristic of practically all German activity in practically all spheres of work and thought. "For the time being," he says, "it has paralyzed the simple and contemplative life of Old Germany, and driven the fine arts and the finer shades of thought and life into the cobwebbed corners of antiquity. With the exception of the Catholic population, I imagine Germany to be the most free-thinking nation on religious matters in all Europe, and the country certainly containing the smallest number of churches and ecclesiastical dignitaries. . . . The whole tenor of German life, from one of sentiment and idealism, has become engrained with materialism, scepticism and what may be termed selfish and national actualities. Germans are the most matter-of-fact, candid, fact-seeking people now living, perhaps the most coarse living, certainly the most material thinking and acting; and this itching love of knowing and discovering is discernible not only in life and act and conversation, but is reflected in art, on the stage, in music, in literature and in religion, and finds expression in perverse curiosity."

In nothing, perhaps, is the change from the old to the new in Germany more manifest than in the revolution which has overtaken the position and outlook of women. The days of their subjection are drawing rapidly to an end, though to an Englishman or an American, conscious of his own and of all masculine demerits, their submissiveness in their home life is still almost an embarrassment. But after a terrific struggle they have carried their claim to a full educational equality with men; they have forced a way into many professions and trades hitherto barred to them; they overrun the lower grades of the Government and municipal service; and they are yearly making themselves more felt on social and political questions. In a country where there are more women than men, and over two million spinsters, the hearth and home theory of the scope of feminine interests and activities was bound sooner or later to break down. The Kaiser when he declared that Church, kitchen and children were

the woman's true sphere summed up the views of the average German man. The German woman, compelled thereto, in the first instance, by sheer economic necessity, thinks otherwise. The modern Gretchen refuses to be "the aproned caterpillar of man." She has her own clubs, her own vocations, her own life and individuality, and she insists on making the most of them. Mrs. Alfred Sidgwick, the author of that eminently wise, witty and revealing book, "Home Life in Germany"—the best book on German life that has yet been written in the English language—warns us not to take the emancipated *Backfisch* too seriously or to regard her as typical of all German women. But she is at least a new and very interesting phenomenon. The woman movement in Germany, indeed, probably as the result of long centuries of feminine suppression, is in some directions more "advanced" than in any other country; and its literature suggests anything but a trammelled and conventional view of life and of women's place in it. Mrs. Sidgwick says:

"It makes one open one's eyes to go to Germany to-day with one's old-fashioned ideas of the German Frau, and hear what she is doing in her desire to reform society and inaugurate a new code of morals. She does not even wait till she is married to speak with authority. On the contrary, she says that marriage is degrading, and that temporary unions are more to the honor and profit of women. . . . A German lady of wide views and worldly knowledge told me a girl had lately sent her a little volume of original poems that she could only describe as unfit for publication; yet she knew the girl and thought her a harmless creature. She was presumably a goose who wanted to cackle in chorus. . . . One of these immoderates, on the authority of Plato, recommended at a public meeting that girls should do gymnastics unclothed. Some of them are men-haters, some in the interests of their sex are all for free love. None of them accept the domination of men in theory, so I think that the facts of life in their own country must often be unpleasantly forced on them. I discussed the movement, which is a marked one in Germany at present, with two women whose experience and good sense made their opinion valuable. But they did not agree. One said that the excesses of these people were the outcome of long repression and would wear out in time. The other thought the movement would go on and grow; which was as much as to say she thought the old morals were dead. Undoubtedly they are dead in some sets in Germany to-day. You hear of girls of good family who have asserted their 'right to motherhood' without marriage; and you hear of other girls who refuse to marry because they will not make vows or accept conditions they consider humiliating. These views do not attract large numbers; probably never will. But they are sufficiently wide-spread to express

themselves in many modern essays, novels and pamphlets, and even to support several magazines."

There can be no question that the *Backfisch* of to-day who reads Maupassant, Gautier, Nietzsche and what not, who has seen "Salome" as a play and heard "Salome" as an opera, who regards Shaw's "Mrs. Warren's Profession" and Wedekind's "Spring's Awakening" as improving as well as "psychologically interesting" productions, and who looks back upon Gretchen, in Mr. Austin Harrison's words, "as we look back on the fainting virgins of the Early Victorian era," is an altogether novel development. I do not exaggerate her importance or believe very strongly in her permanence, any more than I regard the curious and painful epidemic of suicides among German children as a normal and static feature of German evolution. These and all the other phenomena on which I have touched are the tokens, no doubt, of a change which is also a descent. But to talk of the Germans as decadent is ridiculous to those who know them. No decadent people has ever increased at the rate of a million souls a year while at the same time reducing the rate of mortality. The foundations and structure of the nation are still in the main sound, though not so sound as they were, and German life and character still retain most of their old vigorous purity, hardihood and placidity. In applied intelligence, in discipline, concentration, the capacity for taking pains and research, the Germans are still the foremost of living peoples. But there has been a change and a change that in spite of periodic reactions will certainly continue. The age of German Stoicism has passed; that of German Epicureanism has begun. We may, and probably shall, see before long a healthy revulsion, a revival of the pristine spirituality, an effort of the Grecian side of Germany to assert itself against the predominance of the Roman side. Meanwhile Germany continues in a phase, a disquieting and unpleasant phase, of social and moral transition.

But it is not alone in the sphere of social life and morals that an observer comes across the signs of a sweeping revolution. Looked at broadly, Germany is seen to be trying to solve three distinct but intimately related problems. The first is to become a great naval, commercial and colonial Power. The second is to adjust her domestic policy to the fact that every year finds her passing more and more decidedly from a mainly agricultural to

a mainly industrial State. The third is to establish a working compromise between universal suffrage on the one hand and the fact, in recent months the somewhat glaring fact, of semi-autocratic, personal rulership on the other. Of these three problems the first may be said to be in a fair way to solution. That is to say, all Germany and all the responsible and effective parties in Germany have now set the seal of national approval upon the policy of Imperialism in all its many forms. In the *bloc,* for instance, which at present supports Prince Bülow there are Agrarians and Protectionists, Free-Traders and Free-thinkers, Tories and Radicals. They differ on more than one point of domestic policy, but on the question of *Weltpolitik* they are substantially at one, the Radicals supporting a big Navy, an overpowering Army and colonial expansion as heartily as the Conservatives or the National Liberals or the Kaiser himself. The Social Democrats alone consistently oppose the gospel of Imperialism, but their opposition is largely a matter of form and accident; their power is for the moment in eclipse, and will never, in my judgment, be strong enough to restrain the deep-seated instinct towards naval, colonial and commercial Empire. For all practical purposes the ideal of a Greater Germany and of the manifold activities and ambitions it comprises must now be accepted as imbedded in the will and consciousness of the German people. In little more than a generation world-wide interests have been enrolled among the intimate concerns of a people that, except intellectually, used rarely to look beyond its own borders. That Germany has quite accommodated herself spiritually to the greatness of her new position it would be too much to say. The "touchiness," the self-assertion and the grotesque habit of suspiciousness which all too frequently mark the temper of the German people in their international dealings are the tokens of a certain immaturity, of a latent discomfort and overconsciousness in the wearing of the purple of Empire. The Germans have not yet quite reached the point of taking their importance for granted. They have not yet quite outgrown the puerile propensity to call attention to their new dignities and strength with an emphasis sometimes boisterous and not infrequently offensive. That, too, is a sign of transition.

The second of the three problems I have mentioned—that of devising an equitable, political and economic balance between the

interests of industry and of agriculture—is one that grows in contentiousness with every year that passes. It is over a decade and a half since Caprivi declared that Germany was "no longer an agricultural, but an industrial State." The fact was scarcely arguable even then; it is indisputable now; and with her increasing population, her growing dependence upon foreign food-supplies, and her vast expansion of manufactures, it will soon be accepted by all Germany as axiomatic. But it is a fact which the organized obstinacy of the Agrarians has hitherto kept from any adequate translation into terms of politics. A new economic order has arisen, but the policy of the State has not yet been adjusted to it. Preponderantly industrial as she is, Germany is still for the greater part ruled in the interests of agriculture; and to reduce the ascendancy of the Agrarians to legitimate proportions is one of the most anxious tasks that lie ahead of the country. A great and complex fight is on for the control of Germany's economic development, and it is in that light that the present crisis in the Imperial finances and the measures proposed for its solution take on their true significance. From 1879 till to-day it is the Agrarians who have really dictated the fiscal policy of the Empire. It was they who overthrew Caprivi. It was their Bourse law of 1896, forbidding all dealings in "futures" of whatever kind—a law recently modified to permit of transactions in futures of mining and industrial stocks, but not in corn or mill products—that has been one of the chief causes of the exodus of German capital, the high German bank rate and the instability of the German money market. Every commercial treaty they have fought and whittled down with all the weapons of political terrorism. It was their opposition that defeated the great schemes of canal development, just as it was their pressure that led to the restrictions upon the importation of live-stock, the premiums granted to sugar-producers, and the progressive increase in the corn duties. They have, in short, pursued their own interests with a total blindness to the interests of all other classes and with a success that will come to be looked back upon as one of the miracles of modern politics. The measure of German discontent, of class bitterness and of the growth of Social Democracy is very largely the measure of Agrarian ascendancy. They have been able so far to hold their own and to impose their wishes on Chancellor after Chancellor because

of the immense desirability in all countries, but in a military country especially, of keeping the peasantry on the soil; because of the many strong links of social and political sympathy that have always united the nobility and the Crown; and because the Conservatives and the Agrarians were for a long while the only, or at least the most conspicuous, advocates of naval and colonial expansion. They sought and achieved Protection through Imperialism; the tariff was their stipulated reward for subscribing to *Weltpolitik*. Now, however, that Imperialism has ceased to be a Tory and Agrarian monopoly, the struggle between the industrial and the land-owning interests is destined to develop a yet sharper intensity. On its issue will largely depend whether the German invasion of foreign markets is to expand or contract.

With the final token of the present transitional stage in Germany's development—the gathering resolve to shackle the personal régime, to make Government responsible as well as representative, and to do away with the obsolete electoral system that in Prussia both stifles and perverts the popular will—I have left myself little space to deal. Liberalism in Germany is gaining ground year by year, but whether the people as a whole are as yet really desirous of Parliamentary Government or sufficiently experienced to work it is another and more doubtful question. We must remember that politically the Germans are still in the pupil stage, that the German lines of division are social rather than political, and that while they may chafe under the abuses or blunders of the personal régime any concrete proposal to abolish it, to curtail the Constitutional prerogatives of the Crown, and to make Ministers responsible to the Reichstag instead of to the Emperor would rouse immense and, in my belief, decisive opposition. Nevertheless, the trend of the German mind is unquestionably in the direction of giving the people an increasingly effective control over national and Imperial policy, and of modifying the present system of one-man power, if not by direct enactment, then by one of those tacit compromises and informal understandings that regulate the workings of British Constitutionalism. Some day the issue between Crown and People will be definitely joined. So far it has been merely broached. But that it should be raised at all is, perhaps, the most interesting fact about Germany in transition.

ANGLO-AMERICAN.

AN EDUCATIONAL REVOLUTION.

BY HAROLD E. GORST.

EVERY day the subject of education is attracting more attention. We have at last reached the point, in the history of modern civilization, where it has become alarmingly apparent, at least to a few of us, that something is vitally wrong with the whole system of educating young people and developing their faculties. The failure lies glaringly before our eyes; but, with the extraordinary blindness of human beings, the vast majority of us have never, for a moment, connected cause with effect. We have seen ourselves surrounded by social evils of the most harmful character, and have hitherto been contented to regard them as inevitable features of modern life, due to the ordinary stress of circumstances. Some of us, however—unhappily, yet but a small minority—are awakening to the fact that the trouble is deep-seated; that it lies, not with the common economic factors of our daily existence, such as overcrowding, competition, degeneration and so forth, but with some fundamental fallacy by which the normal development and progress of the human race is impeded.

What is this fallacy? I claim no novelty for the discovery that it is absolutely and entirely concerned with the fact that the youth of the nation, here and elsewhere, is being educated upon a general principle which is not only bad in theory, but little short of ruinous in practice. How this absurd theory of education has managed to survive for centuries upon centuries I will not stop to inquire. The probability is that it is because its pernicious results have been confined, in the past, to a comparatively small minority. It is only within the last two generations that it has been expanded into a practically universal system, applicable to the entire population; and, therefore, the acute evil of its effects has just commenced to manifest itself to an appreciable extent.

All the ancient schools of which anything is known, from those in India and Egypt down to those at Athens and Rome, were conducted upon the same principle of instructing in accordance with a cast-iron programme of knowledge to be instilled by force of discipline. The traditional method was handed on to the church schools of the Middle Ages, to the Latin schools which developed from them, and to the schools of to-day, which, in the majority of cases, have been modelled upon the latter. Nobody—except a few isolated reformers working in obscure corners of the Old and New Worlds—seems to have dreamed of questioning, much less of challenging, the soundness of this crude and antiquated theory of education. Once a thing has been systematized and officially organized into a permanent social institution, the independent thinker who grasps its imperfections and enormities finds himself not only coming into violent conflict with the compact mass of tradition-bound, blind and interested units that go to form this system, but running into a stone wall of public credulity rooted in prejudice.

Let there be no misunderstanding on this point. A stupendous array of educational zeal has been directed, all the world over, for the last quarter of a century or more, towards extending and improving the school system. Millions upon millions have been wasted upon every conceivable kind of educational endowment. In England, in particular, large sums of money have been expended, almost lavished, upon equipping the elementary schools with the most varied and complicated apparatus that human ingenuity could devise, with the result that the financial burden imposed upon the British rate-payer is beginning slowly to goad him on to some feeble and vague protest on the score of expense. Training colleges for teachers have sprung up on all sides like mushrooms, letting loose upon the educational world an army of instructors drilled, in the most efficient way, to persuade children, as gently and firmly as possible, into the educational strait-waistcoat. All this has happened within our own knowledge, and is going on now—with ever-increasing zeal, amounting almost to delirium—under our noses and to the tune of a swelling chorus of public eulogy.

But nobody has come boldly forward to challenge the principle upon which this modern educational energy is going to work. The principle has been tacitly accepted by the vast majority of

people. It has even, apparently, been taken on trust by the army of misguided philanthropists who have been vying with one another, of late years, in pouring wealth into every crevice of the whole field of education. I do not deny for a moment, therefore, that the school and college system is developing and growing by leaps and bounds. All I desire to do is to warn the public that this educational ferment must not, on any account, be confounded with genuine reform. Far from this being the case, it is a dangerous and pernicious, although well-intentioned, bolstering up and multiplication of one of the greatest factors for active evil by which the world has ever been cursed.

Although the United States and Great Britain have fundamentally the same education system, the schools and colleges of the two countries differ sufficiently, in some respects, to necessitate a brief comparative survey before examining the problem at close quarters. In the first place, the American system is far more efficiently organized than the English system. It is no idle boast that a direct path has been provided, in the former, from the gutter to the University. But education in England is still in a hopeless muddle. The elementary schools are confused and unsettled; they overlap in the most wasteful way; and there is no road, except by way of scholarships for the privileged few, to higher education. Consequently, the children of the working-classes, in England, are turned adrift at the age of fourteen, fitted for nothing, and without individuality, initiative or the smallest realization of aptitude for anything in particular. The thoroughly efficient organization of education in the United States, coupled with the fact that the child of the poorest laborer can get a free education right through to the age of eighteen, proves, on the other hand, how high a value the American people set upon the advantages of a school and college training; and how ready they are to support and foster any institution which they believe to be in the interests of the nation and of the individual.

English and American universities differ mainly in spirit. They are all of them fit for little else than the turning out of a rather useless type of scholar; but the University authorities in the United States appear at least to be fully alive to the fact that practical and business life demands another type of man. Realizing this, they are constantly experimenting in the hope of hitting

upon a method of training and supplying the right article. This is, at any rate, laudable. It shows that a most valuable spirit has crept into higher education on this side of the Atlantic, and that American citizens are too practical a people to ignore the fact that their system is faulty and that it contains, somewhere or other, some grave blunder. As nobody in England, except those directly concerned in educational work, takes the slightest interest in the problem of education, it is quite clear that reform, when it comes there, will have to come from within. The outlook in the United States, judging from all I have previously read and heard, as well as from my own brief experience in the country, is much more hopeful. Reform in the right direction may not only be generated within the inner circle of educationists—some of whom, I can affirm from my own knowledge, are at least partly aware of the evils of the present system—but will eventually be insisted upon from without. Whatever defects Americans may have as citizens—on that point I am wholly uninformed—they certainly display the most intense and practical interest in educational matters; they realize, as British parents do not appear to realize, that the education of their children, on right lines, is a thing of paramount importance. Some of them may be blind believers in the present system; but there is every indication that the majority are by no means disposed to take its perfection for granted. The average American is not only a practical, but also an elastic-minded, man. He is not wedded eternally to theories, and he believes only half what he sees. And besides this, there is a factor in the situation which must not be overlooked: The American woman is full of intellectual unrest. She wants to learn, and she cares nothing for accepted theories or antiquated traditions. So she is an individual to be reckoned with in the future; for the mother who takes an intelligent interest in the education of her children, and who applies her thinking powers without prejudice to the problem, will bring a new and powerful element into the question which nobody can afford to ignore.

Those who want to judge of the value of modern methods of education must judge by their results. It is no good looking at the aims and professions of the schools and colleges themselves. The whole social organization of Western civilization teems with anomalies, injustices and inequalities. Let them be examined im-

partially, and the intelligent observer will not be slow to comprehend how many of these evils are attributable, in the first instance, to the constant suppression of individuality by the education system. How many individuals, to begin with, have discovered their precise vocation to lie in the work they are compelled to do in order to earn their daily bread? The percentage of happy, contented people who are doing, consciously, just what they are fitted for is notoriously small. Is there a single person, possessing a tolerably wide circle of acquaintance, who cannot point to dozens of examples of individuals that are leading wasted and disappointed lives through pursuing an uncongenial occupation? There are writers, thinkers, artists and musicians eating their hearts out in Wall Street; there are engineers in the pulpit or driving street-cars; naturalists and farmers slaving away at figures in a counting-house; scholars masquerading as administrators; and men of action, the would-be pioneers of new and productive industries, bound hand and foot in some office of law or commerce. It is a pitiful story, the first chapter of which commenced in the elementary school. And it is something worse than cruelty to the individual. It is the canker which produces national inefficiency and national decay, and which multiplies mediocrity in every profession and occupation throughout the length and breadth of the land. A well-known Philadelphia professor testified publicly in my hearing, a few weeks ago, to the high percentage of men in technical colleges who were compelled to give up their course, because it was discovered, at the eleventh hour, that they had no aptitude for the vocation for which they were being trained.

That is the human side of this manufacture of mediocrity and wholesale misplacing of individuals. Now turn to the economic side. Is it not courting disaster to produce, year in year out, masses of men fitted with precisely the same mental equipment? Everybody recognizes the unhappy results of an excessive supply of labor in the industrial market; but nobody has pointed out the equally disastrous effect of an oversupply of University graduates, all equipped with the same ornamental, useless and half-baked literary accomplishments. The United States has escaped the worst economic evils that result from this practice of turning out uniformity from all the centres of education. But this is merely due to the circumstance that America is still a

young country of boundless resources and opportunity. The evil is there, nevertheless, slowly eating its way into the heart of the nation. In an old country like England, the appalling economic results of this incessant supply of machine-made scholars are only too apparent. Briefless barristers, literary hacks, broken-down University men, starving clergymen, doctors without patients, critics in garrets and ragged philosophers are as common there as pebbles on the seashore. People allude to them, with a shrug of the shoulders, as life's necessary failures, and are too lazy or too unobservant to attribute such an every-day feature of modern civilization to any traceable cause. Yet even the educational authorities themselves sometimes catch a glimmer of the truth. The Chancellor of an Irish University remarked, last October, in the course of an address to the students:

"One of the gravest dangers that can come upon any country is the existence of a large number of highly educated young men, who have no immediate or graduated outlet for their talents. It is wicked to give a man the highest education, and simply turn him loose on the world, and there is no necessity for this indignity. In any well-ordered country, such as Belgium or Germany, there are Government or private schemes which take up the scholar when he is leaving the University, and usher him onward into the line or path he may desire to tread. The whole tendency of life is now for men to take up special lines, electricity, engineering, medicine, industries, commerce, and to follow up that work from the earliest moment and progressively. Specialism is one of the greatest products of the day. What I say is required now is special work and special training."

There is yet another side to this problem of academic education, and that is the physiological. The whole plan of forcing a general education upon everybody—whether it be classical, mathematical or anything else in character—necessitates the cramming of the mind with facts, with ready-made opinions, with other people's ideas and borrowed reflections. This process of cramming is not a natural but an artificial process; and on this account—quite apart from the badness of its educational principle—it is actually injurious to the brain. This is no mere assertion on the part of a layman. Probably but few people have not come in contact with cases of mental breakdown through overwork in connection with scholarships, the passing of degrees, examinations and so forth. A system of mental training which threatens injury, even in a remote degree, to the brain, and

particularly to the brain of the most intellectually gifted, can hardly claim to be regarded as the right method of mental development. The best mental specialists in England are, at any rate, far from satisfied that education is being conducted on sound lines. When I occupied the position of private secretary to the English Minister of Education, a few years ago, I made inquiries on this point. Amongst other communications, I received replies from our two greatest experts on mental breakdown: Dr. Savage and Professor Maudsley. Their letters are a valuable and significant comment on our present methods of education, both elementary and academic, and I therefore print them in full.

Dr. Savage says:

"I now write in answer to your letter as to the evil effect of cramming and overeducation, as far as my experience is concerned. First of all, I must say that the cases in which pure and simple overworking an otherwise healthy subject produces mental illness are very few. First, the nervous boy or girl is often unusually bright and forward, and therefore is likely to be encouraged to do more than is good for him. Next, the general health of the child makes an enormous difference to the amount of work which may be overwork. I believe most harm occurs in forcing promising children; next, in forcing children who are not properly fed.

"I think that the strain of classics has produced more cases of breakdown than that of mathematics. But there it is rather rash to draw hasty conclusions, for accident may have brought more Oxford than Cambridge men under my notice. But my present impression is that the training to produce a Balliol scholar is a dangerous one. If the child is forced to take exercise, harm may be avoided. But here again, the boy certainly who is likely to suffer from work is the boy who avoids games. I find it difficult to provide the particular instances you need. I think every large public school produces boys of the following type: weakly, not given to games, with feeble digestion and weak circulation. They read and work very hard for scholarships; they are allowed, in some schools, to sit up at night almost to any hour they please. They have insufficient food, and their work is too much along one line.

"It may be necessary to cultivate a classical or a mathematical ability specially; but it is always associated with danger in the boy who is gifted."

Professor Maudsley, dealing with elementary education, writes:

"I am sorry that I am unable to give you the practical assistance which you require. I keep no notes of cases which come under my observation. The school-board system of cramming with smatterings, instead of teaching their victims to think—even if only by teaching one subject well—is perhaps responsible for some positive mental break-

down; but probably the main harm of it is that it stifles and strangles proper mental development. The vigorous brain of the healthy child suffers the cramming and forgets it; the dull and stupid brain protects itself by its stupidity; it is perhaps only the weak and sensitive brain of the neurotic child which, taking the inanities of school boards seriously, is actually broken down or permanently hurt. Undeveloped mentality is perhaps the principal fault of our educational system (so called)."

My indictment against the elementary school system—that is to say, the system of giving a general education to the children of the nation—contains three more serious counts to which attention may be specially drawn. In the first place, it practises a heartless deception upon the great mass of the people, who, in their ignorance, put a blind faith in the practical value of the training which the schools purport to give. They believe that their children are being endowed with indispensable knowledge, which will qualify them for superior situations and enable them to rise in life. It is a pathetic belief. The least critical person, gifted with ordinary intelligence, knows perfectly well how far removed it is from actuality. The elementary schools do not fit the children for any practical purpose whatever. Their net result is, on the contrary, to unfit them for the realities which they have to face when they find themselves compelled to earn their own bread. Large numbers of these victims, sharing the delusion of their parents, misjudge their educational qualifications. They are led in this way to despise honest labor, and even to look down upon the craftsmanship of the skilled artisan as being inferior to the mechanical occupation of a clerk or drudge, because the latter enables them to become a shabby imitation of the classes above them.

Then there is the undoubted fact — borne out by criminal records—that an unsuitable education often lies at the root of vice and dishonesty. There can hardly be a doubt that the present education system helps to manufacture criminals. In my official capacity at the English Board of Education, I corresponded, on this subject, with the chaplains of our principal prisons, and the answers received to the inquiries made left no doubt in my mind as to the pernicious results of a superficial general education upon certain classes of the community. Here are some significant extracts from a letter, written to the Minister of Education, in England, by one of these prison chaplains:

"My own opinion with regard to the present system of education is that it is liable to foster conceit, discontent, a disinclination to submit to discipline and authority, and a dangerous phase of ambition—which are fruitful sources of that kind of crime which is in these days most prevalent. A smattering of every kind of scientific information creates an intellectual dyspepsia, which makes life unwholesome in its source and action. It is surprising that, in these days of specialists, young people are not thoroughly taught the things which are needful for some definite pursuit in life. This superficial education causes, I think, self-deceit as well as self-conceit. It leads young people, in their desire to rise in the social scale, to attempt by dishonest methods to raise the means to live at a higher rate than is justifiable, to gamble and speculate, in order to keep up a false position.

"I have come across those who have fallen, where this has been admittedly the case; and who have lamented that such wrong ideas had been put into their heads. Young people now look upon many honorable and useful employments as beneath them; and there is a general rush for those which seem to offer a better social position. I am afraid much of this is due to the mistakes made in their early education."

The third count applies more generally to England than to the United States, although it is a pressing social problem in all large industrial centres where there is a poor and ignorant population. It lays to the charge of the elementary school system responsibility for the destruction of human life on a large scale. In London, New York and other great cities, the attention of the authorities has frequently been drawn to the alarming proportion that infant mortality bears to the general death-rate. A high percentage of this mortality is directly due to the ignorance of the mothers concerning the feeding and care of their infants. The President of the Obstetrical Society in London, in giving evidence before a Departmental Committee appointed to inquire into the subject of physical deterioration in Great Britain, stated that eighty-five per cent. of children were born physically healthy whatever the condition of the mother might be antecedently. Nature, he declared, intended all to have a fair start. And an array of eminent medical witnesses testified to the ignorance of the parents on the question of feeding infants. It is surely a bitter satire on our system of educating girls that, as soon as they become mothers, their homes have to be invaded by health visitors and tract-distributors in order that they may be taught the A B C of their domestic duties. The education system must therefore be held liable, so long as it neglects to give girls a prac-

tical training in this respect, for that large proportion of infant mortality which is due to the ignorance of the mothers.

Many charges might be preferred against the present education system; but at the bottom of them all lies the fundamental error that individuality is forcibly repressed by it; that everybody is manufactured to the same pattern, and that in the process of manufacture hereditary talents and individual traits are smothered by the perpetual heaping of knowledge on to the mind. The thing is so plain, so obvious and self-evident, that it is simply amazing to reflect how not only generations of scholars and pedants, but also generations of practical, active-minded men, should have continued unquestioningly to keep it going with their approval and support. Everybody has evidence of the crushing effect of modern education upon the mind and character right under his nose. Children, before they are sent to school, increase in the joy of life, in productive activity, in powers of observation, and in the passion for investigation, every day of their existence. From the moment they enter the schoolroom all is changed. The joy, the activity, the thirst for knowledge and inquiry—all are gone in the briefest possible period. From moving about, and from using his hands in obedience to an irresistible creative impulse, the child passes into a new and unreal world where he is compelled to sit still, and where, instead of investigating for himself, dull and prosaic facts are driven methodically into his mind. The imagination, just about to expand under the influences of natural development, contracts and withers; the brain is first dulled and then forced; the productive activity—except in a few experimental schools which have been established here and there in the face of public prejudice — is rigorously stamped out of existence altogether.

This criminal method of educating the young will, in the natural sequence of human progress, be revolutionized. The longer the revolution is put off the worse for the human race. Evolution has taught us that the use of faculties cannot be discontinued with impunity. The laws of nature are inexorable on this point; and when a muscle, or a bone, or a sense, or an individual trait remains unemployed, it fails to develop and ultimately disappears. Our education system neglects to cultivate the faculties with which a child has been specially endowed; it does not even make an attempt to discover what they are. People say that

education on such a plan would be too expensive; it would involve, they imagine, a teacher for every child. So it is generally accepted that the next best thing is to fix a standard of general knowledge, and drill it into the entire rising generation. It saves trouble and expense; and it has behind it, furthermore, the advantage of centuries of tradition. The consequences of this neglect cannot fail to react upon future generations. The faculties which education not only leaves undeveloped, but actually suppresses by forcing the mind into stereotyped channels, must tend, in the natural order of things, to die out. Therefore, hereditary talent and individuality will gradually be dissipated; with the result that the future race, weakened intellectually and even in a measure physically, will sink lower and lower in the scale of mediocrity and uniformity.

Enlightened educators, in all civilized countries, are beginning to realize the gravity of this danger, and are taking venturesome steps—undeterred by opposition and ridicule—to arrest its progress. Germany is already the field of experiment in this direction. Some of her best men have grasped the fact that, although Germany is ahead of all other nations in the successful manufacture of capable mediocrity, she is only succeeding, by her superiority in this respect, in bringing about the more rapidly the destruction of the finest intellectual material—inventive, creative, administrative and progressive — in the German nation. In Munich, and possibly elsewhere, the most splendid institutions have been founded, experimentally, for the discovery and development of individual tendency. Their success, in a practical country like Germany, may any day change the face of education as carried on there in the public schools and colleges. The idea has been caught up, to a certain extent, by English educationists working obscurely in holes and corners of the English school system; but even the strongest and most determined Minister of Education in England would find it almost impossible, in the compass of his brief five or six years of administration, to overcome the obstacles to reform ceaselessly placed in his way by the most obstinately conservative permanent officials in the English public service.

The United States is teeming with the spirit which should give the keenest impetus to an educational revolution of an intensely sane and practical character. Reformers on the right lines

are busily at work in the great cities of the New World, as elsewhere. What clogs their efforts is, no doubt, the prosperity and progress achieved hitherto, in spite of the detrimental influences of modern education. Enthusiastic American citizens—I have met them by the score—are too ready to attribute their virtues and achievements to the free education for which universal provision has been made, and to the work accomplished by schools and colleges of every type. This natural admiration for a really efficiently organized system of education (regarded merely as a "system") might well prove, eventually, to be the undoing of the American nation. But, if I understand anything of the American character, it will be discarded, fast enough, when once a doubt enters the mind of the people. The Americans are not tradition-bound like the inhabitants of the Old World. They are unsentimentally practical, almost to a fault. If education be found to be wanting, if it be proved to have been based on a false principle, it will be revolutionized in the United States by the irresistible pressure of public opinion.

In what direction will this revolution be pointed? As far as I comprehend the work which the most enlightened reformers are advocating and carrying on, in various countries, the ultimate revolution will be directed towards overturning the whole plan of giving, in the first instance, a general education. How far it may be realized, by these reformers, that a general education is in itself a pernicious thing, I do not pretend to know. The majority of them seem to have gone to work upon the assumption, not that the inculcation of a stereotyped quantity of facts destroys individuality and imagination, but that the hands should be trained as well as the mind. Following this path, they are stumbling gradually upon the truth; but although improvement will result from their methods, salvation must be sought upon far more drastic and revolutionary lines.

Training the hands, side by side with destroying the individual mind, is only a half measure. It is a praiseworthy endeavor to mitigate the evils of the present education system; but it can do no more than mitigate. The real problem is to preserve and to foster natural tendency and individual talent. Manual training may help a little in this direction, although its efforts are rendered largely abortive in proportion as they are made subsidiary to the cramming of the mind with general knowledge.

But it fails as a method of remedying present evils, because it does not perform the first essential duty of all genuine education: the setting itself, in a direct and scientific way, to discover the individual bent of each child.

There is only one practicable method by which this first and paramount object of education can be achieved. Children must not be sent to elementary schools to be taught, without any preliminary investigation into their capabilities and tendencies, the knowledge which is supposed to be essential to the average member of the community. These schools have cost the country hundreds, perhaps thousands, of millions. It cannot be helped; but, the sooner they are pulled down, the better for the interests of the nation. However excellent the teaching, these schools are hotbeds for the wholesale destruction of the individuality upon which the future might and greatness of the nation is dependent. They are worse than useless, unless they can be rebuilt to fulfil the requirements of a new kind of institution — conceived on a far broader basis, both constructively and educationally—in which the sound principles of a genuine education can be carried into effect. For it is not in schools of the existing type that measures can be taken to study the individual bent of the child. This can only be done by the provision, within the dimensions of one great institution, of such scope for individual capacity as would cover the whole range of productive activity. There must be workshops of various kinds, laboratories, kitchens, gardens, and, where practicable, even a farm. Every broad sphere of activity will have, as far as possible, to be represented. The children will thus be turned loose into a real world, full of interest, where they will not be subjected to mental and physical repression, and where their tastes will have full opportunity to develop and reveal themselves. Placed under skilled direction, it would not be difficult, in the course of a comparatively brief period, to ascertain, broadly, the capabilities of each child.

A certain percentage would doubtless display a natural inclination towards a purely literary training; but the vast majority, showing capacity for more practical and active spheres, would eventually have to be drafted off into schools of a new type, according to their individual necessities. These institutions would divide themselves naturally into broad, distinctive groups, each group containing its own complement of schools and colleges.

For instance, one group might embrace scholarship and scientific research; a second, engineering and other mechanical occupations; a third, art and the decorative trades; a fourth, farming and agriculture; a fifth, industry, commerce and finance; and so on. Every normal child would be found to belong, by predisposition, to some broad sphere of activity. It would therefore be the duty of the educators, in the great selecting institutions, first to discover the individual bent of the child, and then to recommend to the parents the course of special training to which he ought to be subjected. Probably enough, many existing technical colleges and other educational establishments would, with certain modifications, be readily adaptable to the giving of this special training, divided, as suggested above, into broad, distinctive groups.

I have only endeavored to give a rough indication of the lines upon which, in my belief, the impending educational revolution will be carried out. Its most significant and inevitable feature, I am convinced, will be the abolition and destruction of all elementary schools, and the substitution, in their place, of such institutions — workshops rather than schoolhouses — as I have sketched out, for the purpose of discovering and encouraging individual capability. It is only by such means that degeneration can be arrested; and that a strong and healthy nation can be built up, capable of achieving and sustaining a foremost place, both intellectually, morally and industrially, in the civilized world of the future.

HAROLD E. GORST.

NATIONALISM IN MUSIC.

BY REGINALD DE KOVEN.

It is a fact, as well known as it is to be regretted, that, in Music alone of all the arts and sciences, no American so far, with the possible exception of McDowell, has struck that dominating note of supreme mastership which compels unquestioned and universal recognition. In painting, in sculpture and in architecture; in poetry and in general literature in all its varying and varied moods and modes of expression, Americans have won an entrance into the inner shrine of fame, and occupied high places in the assembly of the great ones of the earth.

While it is admitted that Music is the last art to develop in any civilization, it must also be admitted that our civilization and general culture have reached a point which would predicate a degree of development in Music commensurate with our progress in other and kindred fields of creative activity.

To find any one able or willing to set a definite bound or limit to our national possibilities of artistic achievement in any given direction, in view of existing national artistic accomplishment, would, I think, be difficult. Hence, it must be possible to adduce good and sufficient reasons for the existing conditions which it is the purpose of this article to consider, and for which, having once assigned an intelligible cause, it may also be possible to point out a remedy. In the consideration of this subject from every varying standpoint, I would advance the opinion, as practically axiomatic, that, given a demand, the supply will in due course necessarily follow; and that opportunity makes the man more often than man the opportunity. In apt illustration of the above, it may be observed that the French Opéra Comique, an institution which has perhaps done more for Music as an art than any other similar institution in the world's his-

tory, was not created by the school of composers which has given it glory, but was itself the creator of that school.

The causes, as I see them, which may reasonably be held responsible for the lack of creative musical productiveness that gives to America as a music-producing nation a position inferior to all other civilized countries, are twofold—first, those superficial causes which are readily recognizable by almost any one as determining; and, second, those more subtle and underlying causes which penetrate to and affect the very soul and origin of Music as an art, in its less readily appreciable relations to the minds and hearts, and purely æsthetic feelings, of mankind.

Foremost among the first, I would place what is a distinctive and perhaps racial tendency—that easy adaptability which, together with a high degree of restless, nervous impatience, is perhaps the most salient characteristic of the American people to-day. As a nation, we are only too prone to race to a desired result with seven-league boots of impatience, which so hurriedly cross the intermediate stages as to render mature and rounded achievement, founded on the solid structure of logical training and development, in most cases an impossibility.

Again, the development of Music in this country has had to contend with a decided and wide-spread inclination among our solid men to consider the study of Music as an art both trivial and unworthy. This is one of the legacies left us by those good old stiff-necked Puritans whose influence still obtains and crops up in most unexpected quarters; those sturdy forefathers of ours who looked upon Music in any form as a bedevilment and invention of the Evil One, a foe alike to piety, morality and good manners. It was not so long ago that, even in England, a man who studied Music, or played upon a stringed instrument, was referred to slightingly and with disparagement as a "Fiddler"; and it was a translation of this feeling into this country which prompted the remark made to me some years ago by a gentleman, a leader of the Bar, and representing the literary culture of his important community, that "any man who devoted any attention to Music was little better than a fool." The tendency inevitable in a new country, where the commercial spirit is the controlling agent of progress, to measure artistic work solely by a financial standard of value has also been a hindrance to the development of our artistic possibilities.

Another readily intelligible reason for our lack of musical productiveness, hitherto, may well lie in the fact that America is only beginning to develop a leisure class. The hurry and bustle, the ceaseless activity and strenuous energy of our every-day life, have left us little time for meditation, contemplation or the development and cultivation of the higher emotions. Music is the natural expression, the wordless language, of a part of our being, which our universal business and commercial pursuits have not only failed to foster, but of necessity have retarded and kept in the background. The marked development of musical taste among the general public during the last ten years has gone hand in hand with the formation of a leisure class among us. We must have leisure before we can enjoy; for intelligent enjoyment, properly speaking, belongs to the legitimate exercise of our higher faculties.

Again, the profession of Music is not as a rule a lucrative one. The musician looking towards fame, and towards the development of his highest artistic possibilities, is lucky indeed who makes a bare living. Art is a hard and jealous mistress, and requires of us our supreme energy and most arduous toil for the production of just those artistic results which are likely to secure the smallest meed of public appreciation, and therefore the least material compensation; in other words, the maximum of creative energy for the minimum of financial return. Therefore the desire for wealth, that unending strenuous chase after the almighty dollar which is a national characteristic, prevents many a man possessing the natural talents and aptitude from cultivating an art which in all probability would advance his material interests so little, and thus forms another and most potent cause for our tardy development in an art which is, beyond doubt or question, the most refining, cultivating and civilizing influence in any community.

Another important and self-evident cause is the fact that, until very recently, it has been almost, if not quite, impossible for any one aspiring to musical proficiency to obtain the necessary education and training in this country. What facilities for musical education we have hitherto enjoyed have been for the most part of the wrong kind, and such training as could be obtained was both unsystematic and superficial. As a case in

point, and of personal knowledge, I may state that, in a reputable well-known so-called "College of Music" in a large city (both of which shall be nameless), a gentleman was permitted to teach singing and the rudiments of harmony, whose only musical training had been a course of six months' instruction in the same institution. What artistic results could be expected from such a system? Like instances might be multiplied throughout the length and breadth of this great country, where musical instruction (falsely so-called) is too often incompetent and through misleading pretence often dishonest.

Another determining cause of existing conditions which must not be overlooked or underestimated in its effects, has been the lack of the musical atmosphere to create and stimulate musical thought, so necessary to the cultivation and artistic advancement of the musical student. The absence in this country of such an atmosphere—alone created by opportunities for constant hearing of the best music of all kinds at reasonable prices—has sent our would-be musicians abroad, where such opportunities are readily obtainable, in ever-increasing numbers. Having thus been obliged to go elsewhere for what has been hitherto unattainable here, our foreign-trained musicians have naturally and unavoidably in their musical expression been, for the greater part, a reflection of the environment in which their artistic training has been gained; and this evident tendency brings us naturally to the underlying causes above mentioned, to which, in my judgment, more than to anything else, the existing lack of distinctive national musical creativeness is due.

National music has been defined as that music which, appertaining to a nation or tribe whose individual emotions and passions it expresses, exhibits certain peculiarities more or less characteristic, which distinguish it from the music of any other nation or tribe. To such music the Germans very appropriately give the designation of "*Volksmusik*," which term, for present purposes I think, it may be permissible to render into English as "Folk-Music." The absolute lack in American music, so-called, of the characteristic peculiarities which would give to the expression of thought or character in music anything distinctive or national, is to me the principal underlying cause for the tardy development of our musical creative ability, and

for the absence of general recognition for the American composer.

Music to be great, and universally recognized as such, must in a sense be national; and the history of the art shows that the best music has been written in those countries where the greatest amount of national feeling prevails. It is now pretty generally admitted that the Anglo-Saxon race is not markedly musical in its tendencies, and thus far the predominating race-type in this country has been the Anglo-Saxon. This is fast disappearing, and we are beginning to feel the effect of the enormous immigration of the last half-century, and the infusion into the original American stock of the blood of European nations.

The American people is now; the American Nation is yet to be.

Until we shall finally and once for all have done away with the hyphenated nationalities, and the consequently divided national feeling, which still exert an important influence on our musical life, we cannot expect to have a national feeling which in expression shall be distinctively American and recognizable as such.

Further than this, until this feeling is generated by the slow process of national assimilation and progress, we can hardly hope for that distinctive school of music which is the prime essential to our national musical development. Whoever it was that said, "Let me write the songs of a nation, and I care not who makes its laws," enunciated a truth having to do with the effect of distinctively national music upon a nation or people, whose importance can hardly be overlooked. The popular airs of a nation might well be called the almost unconscious soul utterances of the people. They grow, they develop—how, one hardly knows; for, as some one aptly remarked, "Really popular melodies compose themselves." Their very existence in many instances is due to some great national crisis, to some wave of national feeling or emotion. At times, they emerge from the fiery crucible of a nation's anguish; at other times, the irrepressible outburst of a nation's joy gives them birth. As an evidence of the non-productive effect, from a musical standpoint, of a divided national feeling, it may be said that the agitated passions and emotions of the Civil War brought into existence a number of melodies and popular songs, which, from their melodic contents,

might well rank with many of the most characteristic folk-songs and popular airs of foreign nations; and yet none of these songs were taken permanently to the hearts of the people, and almost all have disappeared with the memories of that great conflict. Possibly, some other great national crisis is needed to weld the American people into a Nation upon which a united national feeling could be indelibly stamped, and thus become productive of lasting musical result.

It is a curious fact that no great national music has ever been written among a people living under a republican form of government. The Swiss are, perhaps, the oldest example of a people living permanently under that régime, and there has never been a Swiss composer of any note or of even moderate ability. Against this it may be urged that the American Democracy is unquestionably *sui generis;* that nothing like it has ever existed before; and that for this reason, being in a position to make precedent for ourselves, we need not necessarily consider Democracy *per se* as inimical to musical development. On the contrary, the very variety of the elements which are now forming the American nation would argue in favor of the possibility of the foundation of a National School of Music, which, in uniting the characteristics of many peoples, might in time develop into something broader and stronger, fresher, more vital and more spontaneous than anything the world has hitherto seen. As a people to-day we have an eminently original, inventive and constructive faculty; and, when the rapid civilizing and developing processes which we are now undergoing shall have given us more leisure, and shall have broadened our perceptions to the extent of enabling us to see in the cultivation of the arts, and more particularly of the art of Music, one of the noblest fields for the exercise of human energy, we may reasonably expect to see the American composer take a place in the world of music more in keeping with the existing development of the country in other fields of artistic effort.

But the question of the progress and development of music in this country naturally and immediately suggests the necessity of the foundation of the National School of Music above mentioned. Admitting this, the further question at once arises, What should be the basis and foundation of such a school?

If it be true, as has been said, that the best music has been

written in those countries where the greatest amount of national feeling prevails, it might be claimed that the necessary foundations of this school should be those popular airs or folk-tunes which, to a certain extent, form the basis of the so-called national music of Europe; and the question may be argued *pro* and *con* as to whether such music is the necessary basis of a national school, or whether this folk-music, which ordinarily comes to us from a past so remote that its primary origin is practically undiscoverable, is an effect or cause of national feeling. I am inclined to believe that folk-music may, at one and the same time, be both an effect and a cause.

That united national feeling which we as a country are yet too young to have developed, which in times of national joy or grief finds a spontaneous expression in music, either as an accompaniment to appropriate words, or as an expression of thought beyond the power of language, must first exist before the lasting foundations of a distinctive national school of music can be laid. Otherwise, we should have had such a school in America long ago; for, as has been often observed, there is in this country an almost inexhaustible fund of folk-music of the most varied kind—the Negro, Indian and Creole—on which the American composer could have drawn had he been so minded. That he has not done so more generally would seem to indicate that neither to the composer, nor to the public to whom his work is addressed, does this music in any way represent or suggest a feeling that would inspire or attract because of any inherent properties of appropriate national application which it possesses. In the rare instances where composers have sought inspiration in music of this kind, like McDowell's "Indian Suite" or Dvorák's "New World" symphony, their music has not appealed to Americans as representatively national, nor been taken to their hearts as such, for the reason that all such tunes and melodies are really exotic and in no sense indigenous. If we admit that this folk-music, characteristic and original as it is, should be taken as the proper basis of a national school of music, we must also be prepared to admit that the Indian, the Negro and the Creole are the dominant race-types of America, which is absurd. Far more am I inclined to look to the popular tunes of to-day, however deficient in intrinsic musical value, which are being sung familiarly by hundreds of thousands of people, as a possible

foundation for a school of music expressive of national thought and character and appealing as such to the Nation, than to these Creole, Negro or Indian melodies, indicative only of the emotions and sentiment of alien races which have had little or nothing to do with our national upbuilding, and are now fast disappearing.

I do not mean to infer that, because the folk-music to be found in this country may not be thought properly available as the basis of a national school of music, the careful study of it might not be advantageous to the American composer and music student. The great variety of rhythm and modulation which it contains affords an inexhaustible source of useful suggestion; while, from the deep and beautiful expression contained in many of the melodies, they may be profitably followed as excellent models in composition. The chief advantage, however, in the study of folk-music lies in the fact that such music is in most cases what music primarily always should be—a faithful expression of feeling. The professional musician has many inducements to compose music which he does not really feel; and therefore a familiarity with national or folk-music in which absolute truth of expression predominates cannot fail to be beneficial to him.

The example of almost all the great composers who have made use of national or folk melodies, either by introducing them bodily into their works, or by adopting their salient characteristics, can well be heeded in this respect; and the many instances where such folk-music has had a definite and direct influence on the style and the form of melodic expression of the composers employing it may be taken as proof that such music may justly be looked upon as a cause rather than an effect of national feeling musically expressed. The famous composer, Grieg, furnishes a striking example of how the use of characteristic national melodies may affect and even completely alter a composer's style. Had he not intentionally abandoned his former German manner, and so imbued himself with the form and spirit of the folk-music of his own country, Grieg could never have attained his present rank as a distinctively individual and original composer. But the fact must be insisted on that the melodies which he made use of bore the impress of an already existing national character and feeling, both definite and unmistakable, and that music of this class has not as yet been a possibility in America,

because the concrete well-defined national feeling to produce it has not been present.

It may well be, as observed above, that the gradual unification into a nation of the various foreign elements which now constitute the American people, may in time produce an undivided national feeling definite enough to find a spontaneous expression in that folk-music which, as in Grieg's case, could show definite result in the upbuilding of a composer whose work might be deemed characteristically national. The very existence in this country of the differing taste in music inevitable to our various hyphenated nationalities, must be held to be another underlying cause for the backwardness of our musical development, as having to do with those foreign influences which so strongly affect our musical life, much, as I believe, to its detriment. With German-Americans clamoring for German music; with Italian-Americans demanding only Italian music to the extent of refusing even to listen to music of the French school; and with Americans of all kinds apparently willing to sanction and give heed to only such music as is European, it is perhaps a little difficult to know where the audience to stimulate the activity of the American composer by a willingness to listen to what he has to say musically may be found.

In this connection, I would quote from a recent article in the "Review of Reviews" by Mr. Arthur Farwell, an American composer who has done much to encourage native musical activity, who, in speaking of the estimation in which the American composer is held by his countrymen and the difficulty experienced by Americans in obtaining a hearing in their own country, says:

> "Artists with rare exceptions will not learn and perform American works, however high may be their opinion of them, in a society which still really sanctions only that which is European. Here was another intolerable condition. A changed social attitude is necessary. There must be wide-spread and organized performance of American works, before the country has at last found that it is the gainer and not the loser by an entirely liberal hospitality to the work of Americans."

The opportunities for hearing music, which have grown and multiplied exceedingly in recent years, have increased not only the attention paid to music and the enjoyment to be derived therefrom by all classes of people, but also the consideration in which music as a factor in social life is held.

It is now said that the American musician has reached a point where he needs no apology. This statement has been, and may be, taken in two ways. If, as meaning that the American composer has arrived at a point where, having mastered the technical details of his calling, he is now in a position as a craftsman to rank with the best and to be judged by his honest qualifications and merits and not by any sentimental standard of mere nationality, it is all very well. If, however, this dictum be taken to mean that the American musician, with all the difficulty he has had and still has to contend with, is considered strong enough to meet single-handed, and without the definite support from his countrymen which a larger confidence in his ability would give, the competition with the musical products of nations centuries older than his own, it is, I think, misleading. It is that lack of national confidence in national ability, from which the manifold difficulties the American composer encounters in obtaining a hearing spring, which is also a principal underlying cause of our retarded development in the field of musical creativeness.

More frequent opportunities of public performance the American composer at this time both sadly lacks and urgently needs; for how can the work of any composer be properly judged unheard? Such opportunities are essential as an after result of creative effort not only in giving the public the opportunity of judging a composer by his work, but also in supplying the composer with the needed stimulus and incentive of popular recognition and appreciation, and in enabling him to estimate his own accomplishment with greater clearness and accuracy.

It has been recently stated by a writer on musical topics that it is incredible, and impossible to suppose, that a worthy musical work by an American composer would be refused due and proper recognition by the American public because of its American origin, and that it is therefore unnecessary and unprofitable to bring before the public musical works by American composers of unknown or doubtful merit. Of what good to any one are silent scores and unpublished manuscripts that gather dust on library shelves? My own personal experience has taught me that the unwillingness of the American public to accept native musical works because of their American origin is neither incredible nor impossible to suppose. Our youth as a musical nation, which makes us diffident about expressing a definite opinion unsupported

by previous foreign criticism, is largely responsible for a condition of affairs as undoubted as it is unfortunate.

It is national pride as well as national feeling that begets national art—that Nationalism in Music, which we need to become the musical nation that our natural characteristics seem to point to as something more than a possibility.

As bearing on the above, it is indeed much to be deplored that the terms of the competition for a prize for the best American Grand Opera, as recently announced by the Metropolitan Opera Company, an idea admirable in its conception in affording the needed opportunity for the American composer to be heard, are such as to render the whole plan nugatory and indeed almost farcical. Through the illiberality and injustice of its financial conditions, whereby the composer, for a sum barely adequate to compensate him for the time spent in its construction, is compelled to give his successful work for nothing for a period of five years, and whereby they carefully reserve to themselves the right not to award any prize at all, the Metropolitan Opera Company have, in my judgment, given conclusive evidence of their entire inability to appreciate existing conditions, as well as of the usual lack of confidence in the ability of the American composer to produce any meritorious musical work at all—a direct outcome of the foreign influences which hamper and retard our national progress and development.

France is to-day the centre of the art-producing world. That she is so is largely due to the fact that the French people prefer to hear French music, to see French pictures and statuary, and go to the theatre to hear French plays—meaning, in each instance, the works of Frenchmen—than those of any other nationality. Such a national confidence in national ability is undoubtedly the greatest possible incentive and stimulus to artistic effort. When once we are willing to admit, as the French do in regard to themselves, that the work of Americans is and can be of itself good and worthy, and if found equal to the works of others when judged by similar standards, should be preferred to them, we shall stand a better chance than we have to-day of developing in this country a musical art which, as an outgrowth of national feeling, shall be furthermore distinctly national because supported by national confidence and pride.

REGINALD DE KOVEN.

SOME RECOLLECTIONS OF PRESIDENT McKINLEY AND THE CUBAN INTERVENTION.

BY DR. HENRY S. PRITCHETT, PRESIDENT OF THE CARNEGIE FOUNDATION FOR THE ADVANCEMENT OF TEACHING.

GOING over old letter-files is like digging in old ash-heaps—one must uncover an enormous mass of rubbish to recover even a modest prize. Most men in administrative places leave their literary accumulations to be cast into the pit by their successors. Now and then a fire or a removal forces one to sift over and reassort his own literary scrap-pile. It was in the process made necessary by the second of these calamities that I ran across, some months ago, a memorandum dated May 2nd, 1899, which contained in my own handwriting an interesting explanation I had heard President McKinley make that night concerning his own attitude toward the questions which arose through the Cuban difficulties and the war with Spain. The story of how the paper came to be written is this:

In the autumn of 1897 I had been appointed by President McKinley, upon the recommendation of Secretary Gage, Superintendent of the Coast and Geodetic Survey, a scientific bureau of the Government organized nearly a hundred years ago. I had never met the President until after my appointment, and I had, of course, no reason to anticipate, as a bureau chief, any other acquaintance with him than the limited official one which my duties might involve. The accident of the Spanish War furnished the unexpected occasion for a somewhat closer personal relation.

After Admiral Dewey left Hongkong for Manila, I had followed his movements on one of the British Admiralty charts. In the first messages received from the scene of action appeared the

words "Subig Bay," "Corregidor Island," "Cavite" and other names which were strange enough to our ears then, but now have the ring of household words. A glance at the chart on the morning of May 2nd showed their relative positions, and made so intelligible the telegraphic account of the battle that I wondered whether the President had any satisfactory map of the region. Having occasion during the morning to visit the State Department, in connection with the preparation of material relating to the Alaska boundary dispute, I rolled up the chart I had been using, stopped at the White House, and handed it to Mr. Porter, then Secretary to the President. Mr. Porter expressed great surprise at the existence of such a chart, and said it contained exactly the sort of information which was greatly desired. He added that the President was alone, and he suggested that I go in with him at once and take the chart to the President.

We found the President alone—an unusual thing at that time and for that hour of the day. Preliminary messages had been received from Admiral Dewey the evening before, announcing the victory of May 1st, and the President was at the moment engaged in reading the complete despatches, which were being sent from the Navy Department in sections as fast as they were translated out of the cipher. He was using a small map of the Philippine Islands about as long as one's hand, apparently taken from a school geography. (This was the day when, as Mr. Dooley remarked, Few of us knew whether the Philippines were islands or canned goods.) On this small map, Manila Bay was no larger than a pea, and none of the details of the shore line and local topography could be made out. The moment that the Admiralty chart was spread out, showing the great sweep of Manila Bay, with its comparatively narrow entrance, the messages the President was reading could forthwith be understood. We spent a half hour reading these messages, ending with the final description of the complete destruction of the Spanish fleet, and leaving us all aglow with national feeling. It was an interesting moment to spend with the President of the United States.

As I rose to go the President stopped me. "I think," said he, "I have a job for you, and, if you will come with me, I would like to show you what it is." Leading the way across the reception-room, he took me to the small room in the southeast corner occupied by the telegraph department, of which Colonel Mont-

gomery was chief. "It is evident," said the President, "that I must learn a deal of geography in this war, and I am going to turn over to you the task of furnishing me the necessary maps and charts. These walls will be at your disposal, and I shall feel greatly indebted if you will see that there are placed here such maps and charts as will be of assistance to me in the questions which are sure to arise in the course of the war now upon us. I will see that your men are given admission here, at any time, to place upon the walls such maps as you think necessary."

The task thus committed to me was one of the most interesting one could undertake. The Coast Survey has in its service some of the most skilled cartographers in the world. We ransacked every source for such maps of the Philippines, of the West Indies, and of other countries concerning which information was desired. When a map of the proper size and with the proper information upon it could not be had, maps were prepared in the office of the Coast Survey. On one or two occasions, these maps were prepared on a large scale in the course of a single night's work. There was placed upon them the information which showed cable lines, coaling stations and other matters germane to the study to which they would be subjected.

It was my habit to visit this room, which came after a while to be called the "map-room," once or twice a week, to see how the work was being carried out. Occasionally, on these visits, I met the President, who was always friendly and considerate, and always most appreciative of any effort to help him. He was a man who gave his confidence rather slowly but very completely, and in the course of the year I came to entertain toward him a gradually increasing feeling of friendship and intimacy; for the map-making was continued for the different provinces of the Philippines long after the Spanish War had ended.

It was in virtue of the acquaintance thus made that I occasionally called at the White House in the evening in response to his invitation. On the 2nd of May, 1899, a Sunday evening, I happened to make such a call, and found the President and Mrs. McKinley engaged in a game of cribbage. Mrs. McKinley soon retired, and the President lit a cigar and began to talk. I reminded him that just a year ago that day I had brought to him a map of Manila Bay and its environs. The remark awoke in him a series of reminiscences of the past year, and he began to

speak, first, in a somewhat casual way, but later with great earnestness, concerning the events of the year and his own part in them. As he went on, his earnestness grew; and at the last he spoke with some emotion, saying that what he had done had been in the most sincere desire to serve the interests of the country and of humanity; that the things which he had done he had considered with great care; that he had not only thought over them, but prayed over them; and that he could only hope that the outcome would be justified. The conversation seemed so unusual an one that, after leaving him, I wrote down, as nearly as I could remember, the salient points of his talk, and it was this paper which turned up in my removal of some months ago, to bring back the memories of the man and of the occasion.

President McKinley began by saying that he could scarcely realize that a full year had passed since the morning to which I alluded—a year which, he said, had been crowded full of momentous events altogether different from those with which he had expected to deal when he came to the Presidency. He had found himself compelled to face, at the beginning of his administration, a series of questions wholly outside the range of those which ordinarily came to a President of the United States.

The matter of which the President spoke with most feeling was his conviction that, if he had been left alone, he could have concluded an arrangement with the Spanish Government under which the Spanish troops would have withdrawn from Cuba without a war. Of this he spoke with great frankness, stating most explicitly his conviction that, but for the inflamed state of public opinion and the fact that Congress could no longer be held in check, a peaceful solution might have been had.

Of the consequences which the war brought he spoke with less certainty, but with great earnestness. As the war advanced and the question of the possible addition of new territory came up, the President stated that he had at first felt opposed to the addition of any of the outlying territory to our possessions. He had felt at the beginning doubtful even about Hawaii and Porto Rico, but as time went on and the alternatives had to be faced which the rejection of these countries would involve, he had felt compelled to take Hawaii and Porto Rico as the least dangerous experiment. As to the Philippines, he stated that at the beginning he had felt entirely opposed to the retention of any part

of these islands; but here again the difficulties of the alternative had gradually influenced him. He had desired at first to retain a coaling station; then all of Manila Bay; then all of Luzon; and, finally, he had come to the decision that the occupancy of the entire island group was, under the circumstances, the wisest course for his Government to pursue.

Just what the reasons were which gradually led President McKinley to change his opinion were not made clear in his talk, notwithstanding the earnestness with which he spoke of his convictions; but it was clear from the references which he made that two influences had profoundly affected him: first, the belief that this policy was the wish of the American people; and, second, the conviction that our government of the Philippines would be a sort of national missionary effort, which would result in great good to the people of those islands and exert a most salutary effect on our own politics.

The President spoke with more earnestness and with more definiteness as to his regret for the war itself than as to the complications which arose from it. There could be no question of his firm belief that, if left alone, he could have settled the matter without a war. The situation in Congress finally came to a point where, in his opinion, it was impossible for him to stop the war current. What the causes were which led up to this condition he did not indicate with great definiteness, otherwise than to mention incidentally the incessant newspaper agitation, the emotionalism of certain members of the House and of the Senate, and the stampeding of Congress under the impression that the country was demanding immediate hostilities. Whether this spirit could have been dealt with successfully by a man made of sterner stuff than President McKinley, it would be difficult at this time to say. Perhaps few people realize the excited state of feeling in which men in public life lived during the first months of 1898. One who turns back to the files of the daily press of those days and reads the frantic appeals which were poured out, will understand in what a ferment the public mind must have been to accept such expressions of prejudice and passion. One appreciates also, at this distance in time, the success with which the accusation of low motives was pressed against those who stood resolutely for a peaceful solution of our differences with Spain.

In 1898 the most powerful offices under our Government—the Presidency and the Speakership of the House—were filled by William McKinley and Thomas B. Reed. These two men were not in sympathy with each other politically or personally; but in the belief that war was unnecessary they were thoroughly agreed, and all the influence which went with their great places was thrown into the effort to stem the current setting for war.

I remember a scene in the Speaker's office just before the outbreak of war, which illustrated not only his attitude in this matter, but the quickness of his wit. I had gone to his office at his request in relation to certain matters connected with the business of the Coast Survey. As we sat talking, a Southern member of Congress burst into the room, his face aflame with excitement, a newspaper in his hand. Planting the paper on the table before the Speaker, he demanded in an excited voice whether a civilized nation would permit such things as were there described within ninety miles of its borders. Slowly adjusting his glasses, the Speaker cast his eye over the paper. At the top, in large head-lines, was a story of the sufferings of the reconcentrados. But about half-way down the page, in smaller lines, was an account of an assault on a negro postmaster in one of the Southern States. Instead of reading the top lines, the Speaker read in his drawling voice the lower set of head-lines: "The Postmaster at Blank Shot — His Wife Ill-treated — His House Burned." "Why, my friend," said he, in the same drawling tone, "that can't be down South; that must be over in Cuba. If we had a civilization like that we wouldn't want to spread it over Cuba anyhow, would we?" By that time the would-be savior of Cuba was well on his way out of the room.

To the end of his life Mr. Reed could not refer to those days without emotion, and he believed, whether rightly or not, that if a calm presentation of the facts could have been had, peaceful means would have accomplished the ends which this nation sought. However that may be, no thoughtful man could observe the interaction among an irresponsible press, emotional politicians and an excited public without alarm, and without realizing, whatever his attitude to the Cuban question, the dangers of such a situation and the difficulty of securing the essential facts for calm action.

Just why everybody was ready to fight except a few men, like

Mr. McKinley and Mr. Reed, was not exactly clear. There was a propaganda for war, fed by newspapers primarily, assisted by a few politicians, and eventually becoming a matter of party rivalry. At the last, it became a race to see who could push the nation into war soonest.

There is one sad ghost of the days of 1898 which I wish might be decently laid. When the American enters Havana Harbor the bones of the "Maine," gaunt and bare, are almost the first object to meet his eye. The wreck lies at the edge of the fairway, a daily menace to navigation. When the visitor inquires why it has not been removed, he is told that the port officials would have long ago removed it, but fear to throw an unwelcome light on a question already decided. It is better, they say, to let sleeping dogs lie.

It is extremely improbable that the removal of the "Maine's" wreckage would throw any light on the question of its destruction. But, whether it did or not, the nation which was strong enough and unselfish enough to go to war to end what was believed to be an intolerable situation is strong enough to have the truth known. The sight of this ill-fated hulk rising above the waters of the harbor, pathetic as it is to an American, is a source of constant irritation to many of the inhabitants of Cuba; and the failure to remove it is naturally looked upon as a weakness. The postal-card venders reap a rich harvest from it, recalling in a very literal way Quay's words about making merchandise of the "Maine's" dead. Its complete removal would not only be in the interest of navigation, but would banish from the public gaze a reminder of a bitter episode which is best forgot.

HENRY S. PRITCHETT.

AN AFTER-GLANCE AT THE VISIT OF THE AMERICAN FLEET TO AUSTRALIA.

BY THE RT. HON. GEORGE HOUSTON REID.

THE Australian continent is divided from all other continents by a vast expanse of ocean. When the white man came, he found the aboriginals in possession feeble alike in numbers and in spirit. There were few forests and no impenetrable jungles. Even the wild animals were harmless. The only serious troubles which faced the Australian pioneer were two: the problem of water-supply and his remoteness from civilization.

In the inevitable struggless between the black possessors and the white intruders, little blood was shed and comparatively few lives were lost. The first and only flag of a foreign country whose staff was ever planted in the soil of this great island, of three million square miles, was the British flag, raised by Captain Cook, when he landed in Botany Bay, near Sydney, from His Majesty's ship "Endeavor," in 1770. There were, therefore, no complications arising from rival white settlements. Nor has any hostile demonstration ever been aimed at these shores.

This brief recital shows how free from difficulty, danger or disorder the path of enterprise in Australia has been. The contrast between American and Australian history in that respect is immense. English, French and Spanish pioneers in America had to fight, first, for every inch of ground and footing they gained against men of marvellous ferocity, cunning, tenacity and cruelty. The struggle went on every day and every year, from the Gulf to the St. Lawrence, from New England to the Far West. Then, too, unlike Australia, with its vast open spaces, North America opposed to the settler not only powerful native enemies, of consummate heroism and craft, but also giant forests which screened the red men and ambushed the white. The

alternatives before the white men were a life of incessant hardship and toil if they were fortunate, and a cruel death for themselves and perils worse than death for their wives and daughters if they were not. And when the reflective observer studies the fabulous growth of the United States in these latter days, and admires the immense prospect of smiling harvests and magnificent cities which are the wonder of the world, his mind cannot help glancing back to the seed-time of all these marvels, to the men of the axe and the rifle, and their women and children, scattered through frontier settlements, surrounded by hosts of relentless foes. No stately monuments mark the places where the dust of the American backwoodsmen is reposing—for them there is no Westminster Abbey; yet, in sober truth, they are amongst the greatest heroes and benefactors of mankind, and their memory was and is of far greater value to America than all the wealth of Wall Street. On the other hand, with so few dangers to overcome, so few enemies to subdue, it is not strange that Australia's progress has been rapid, or that the Australian people are prosperous and happy.

Although our population is under 4,200,000, fifteen million tons of shipping enter our ports every year. Our total foreign trade is three hundred and fifty million dollars—about eighty-five dollars a head. There are one million, two hundred and sixty thousand depositors in our savings-banks, with two hundred and ten million dollars to their credit. Too much cannot be said of the lot of the Australian people in point of actual comfort and enjoyment of the possibilities of life. But this happy condition is not the result of any profound political sagacity. It is explained by the simple fact that in Australia the Anglo-Saxon has had Nature working for him more fully than anywhere else.

We have seven parliaments—one Federal and six State legislatures—each with two separate houses. We have vote by ballot, and adult suffrage is almost universal. Such an organization as a conservative party does not exist in Australia. The main difference between parties is that one party is sometimes more radical than the other. The most interesting novelties in Australia are the Labor Party and the laws respecting industrial disputes. The representatives of the Labor Party are subject to outside labor leagues and pledged to platforms adopted by these bodies. They must vote together on all the planks and

policies approved by these leagues. Without the long-standing distinctions of party and issue and principle which divide American partisans, there is yet much of strenuousness in Australian politics. The different elements of the newly federated States have not yet come sufficiently together to establish bases of settled policy, and the main divisions, at present, are along lines between labor and capital. Elections to the Federal Parliament are contested, as yet, largely upon the basis of local controversies. The seat of power rests in the majority of the popular branch of Parliament, and the Ministry is constituted to represent the majority in this body. A Ministry may fall simply as the result of the breaking up of existing combinations, without any general election to change the complexion of the body.

The labor laws cover two main systems—Wages Boards and Arbitration Courts. The Boards are formed of equal numbers of employed and employers, with a neutral chairman, and all of the decisions are final. The Courts have a Judge President, who has power to determine disputes and conditions and penalties. The employer and trades unions have power to arrive at agreements which can be registered and enforced. Preference to the unions can be given, in the courts, if the judge so decides. The Wages Boards do not discriminate between unionists and non-unionists, and so far the Wages Boards seem to create the least friction and to accomplish the best results; while the Courts seem to excite more trouble than ever before. When the awards suit the men, naturally there is no objection; but, when they do not, the whole machinery often seems ready to break down. It is too soon to speak positively on the matter, however. The stage of experiment is not passed. With a loyal acceptance of awards, on both sides, the system would work well; but without it—and that is too often the case—it becomes the perfection of strife, confusion and injustice.

The great task before Australia is to work out the harmony of union under peaceful conditions, which was wrought in the United States through the dire necessity of union for strength against outside assault. One of the fortunate and helpful incidents along this line was the visit of the American fleet.

Some censorious critics in America, I understand, assigned a warlike motive to the despatch of the battleships from Hampton Roads, but the event has become one of world-wide importance

for very different reasons. It has now been realized by every one that the display of naval power by the United States was in the interests of universal peace. Not so long ago, such a display would have meant a crisis of some kind, but one of the very best of the good things the modern world is getting accustomed to is the exhibition of force in the cause of peace and good will, and the American fleet did a great deal, in many ways, to increase the happiness and content of the nations.

Undoubtedly, it did as much for America as for other nations. The unprecedented voyage is a striking proof of the changed attitude of the United States toward international politics. The nation is no longer an idle spectator of foreign diplomacy. The strenuous life is no longer restricted to its own affairs. The American people are beginning to see that their commercial interests compel them, if nothing else would, to take part in the shaping of the world's destinies. This is a very good thing for the world at large. National jealousies and greed have been the greatest shedders of human blood, and they still cast ominous shadows. The United States cannot be jealous of any other nation; their own lot is too enviable. The United States cannot be greedy; they enjoy a share of the world's resources and prosperity which allows infinite room for magnificent development, but leaves none for morbid craving. The cause of universal harmony has everything to gain from the new line taken by the United States, the Great Republic, in becoming an active member of the family of Nations.

The President's acceptance of our invitation to send the fleet over to visit us was hailed with delight by all classes of the Australian people. It was a kindly recognition of the new Commonwealth. It was an admission, at once gracious and sagacious, that the greatest federation in the world and the youngest have a future on the Pacific which gravely concerns them both. The acceptance of the invitation meant even more than that. It made the good understanding which now happily prevails between the Imperial and the American Governments more conspicuous than it was before; for one cannot but realize that a very few years ago the project would have found many unfriendly minds on both sides of the Atlantic. Even now it was an experiment, and the enthusiasm of the welcomes showered upon the fleet in New Zealand, and again and again in Australia, evidently

created in the minds of the Admirals, the officers and men of the fleet, a feeling of pleased surprise. They could not realize till then the boundless cordiality of Australians when some one comes along whom they are delighted to honor.

The analysis of the overwhelming demonstrations which greeted the war vessels of the United States is not difficult. The people of Australia live at an immense distance from the imposing spectacles and gigantic realities of the older nations. Old-World storms have never seriously ruffled the placid surface of the antipodes. Few of us have been able to travel. Our own continent is not only remote, it is thinly settled and bare of great events. The intense strain of human need and the tremendous energy of human effort, which exhaust and sadden mankind in the Northern Hemisphere, have not yet made serious call on the exuberant spirits of Young Australia. Then we have the blood of sea-faring races in our veins. Of all the stirring sights that could be offered us, none could raise our interest and admiration to a higher pitch than the splendid fleet of modern battleships which America sent to visit us. As it came to anchor in each successive port, it realized our highest expectations. Terrible as the engines of destruction were, they excited no sensation of fear, but universal feelings of confidence and delight. They had steamed the longest and most brilliant voyage a fleet of modern battleships has ever made, and they did it as bearers of messages of peace and good will from the most populous white nation in the world to all the world. The decks of the sixteen monsters were cleared, but not for action—for hospitality and friendship.

Australians of every class and creed have been profoundly touched by this emphatic demonstration of the friendship and kinship of the United States. Even the War of Independence was not a war between the people of the Colonies and the people of Great Britain and Ireland. In those days wars were mainly sources of amusement and profit to the idle and privileged rich who instigated them. The British people never have declared and never will declare war against the American people. They were the first to perceive that the American colonists, in their triumph, won a glorious victory for *freedom, always and everywhere*. That a few unseasoned yeomen should overcome disciplined British armies so soon after Plassey and Quebec is one

of history's sublimest proofs of the power of a good cause. Only a few years later, when the vanquished oppressor assumed her rightful place and became the champion of the world's liberties, she easily overthrew the matchless power of Napoleon, whose veterans had trampled on all of the dynasties of Europe.

Through the visit of the fleet, the American and the Australian peoples have met really for the first time. The delusions of distance and ignorance and the caricatures of humor have been corrected by the reality of contact. The Admirals, officers and men earned unbounded admiration by their conduct on all occasions. The United States may well be proud of their representatives. Admiral Sperry's speeches were weighty, and his sentiments well chosen and happily expressed. He did the fullest justice to the Mother Country, the Empire and the British Navy, while our demonstrations of good feeling gave him no occasion to act as champion of his own country. There was no cloud hanging over the visit. Our own delight, as profoundly loyal subjects of King Edward, in honoring our American cousins, reflected the feeling of kinship which now dominates the relations between the two greatest powers the world has ever known. We rejoice in the growing friendship between Great Britain and the United States. Peace could have no better champions. Humanity could have no better allies. Their united power is the best guaranty the world has ever had of a new reign of justice, liberty and progress in all parts of the globe. GEORGE HOUSTON REID.

PROHIBITION AND PUBLIC MORALS.

BY THE REV. HENRY COLMAN, D.D.

THE foes of prohibition and scoffers at total abstinence hasten to the Bible as their storehouse of weaponry; so the defenders of polygamy and of slavery have ever wrapped themselves with Scripture texts. I lately listened to an eloquent Jewish rabbi, who elaborately described the Decalogue as God's standard of right and wrong for all nations and all times. He then with great emphasis reasoned that, as none of these ten commandments says, "Thou shalt not drink," therefore the use of intoxicants is not a sin. The learned logician did not add that this standard of morals for all time does not forbid drunkenness, wife-beating, gambling, polygamy or slave-holding. Indeed, after reading to the people these tables of stone, amid the most solemn ritual ever accompanying religious instruction, Moses made provision for polygamy and slave-holding among the "chosen people." The Decalogue simply registered the highest standard of righteousness that could then be effectively given to men. He who has no higher standard of morals than the teachings of Moses lingers in the dim morning of the Christian day. Christ spoke the word that illumines Old Testament teachings, and throws a great light on His own, when He said, "Because of the hardness of your hearts, Moses permitted to give a writing of divorcement."

Many also array Christ among the enemies of total abstinence and of prohibition. True, the Christ did not condemn the cup. But when did He rebuke drunkenness, polygamy or slave-holding? Has the Christian been mistaken in branding as crimes customs which the Saviour did not specifically condemn? He showed us a better gospel and prophesied the infinite progress of His Church, through the ages yet before us, when He told His dis-

ciples, during that last day of teaching, "I have yet many things to say unto you, but ye cannot bear them now. Howbeit, when He, the Spirit of Truth, is come, He will guide you into all truth." How many things right to-day will be found wrong to-morrow, we cannot prophesy. Certain that in His wondrous wisdom, Jesus opened the door for betterment without limit.

That Christ in any way sanctioned the drinking habits, the liquor traffic or the saloon of our time no one will affirm. The drinking of His day wrought no such wholesale havoc as we now witness. Even if He did use a little of the mild alcoholic wines common then, He cannot be cited as approving the practices and resulting evils which the people are so successfully suppressing. But can proof be found that He did use them? His enemies styled Him a "wine-bibber," whether falsely or truthfully we have no means to determine. Nor, if He did use wine, have we evidence that it was fermented. At the Last Supper, "He took the cup." What was in the cup? He named it "the fruit of the vine." It is significant that nowhere in the Bible is "wine" mentioned in connection with the Lord's Supper. The Mosaic law forbade leaven in the bread at the Passover. Jesus took the Passover cup. As no ferment was allowed in the bread, it is not unreasonable to infer that it was not permitted in the drink. A rabbi, thirty years ago, said to a friend of mine that not till two hundred years before did the Jews use fermented wine at the Passover. I do not know his authority, but the statement appears reasonable.

Nor is the oft-repeated argument from the wine at the marriage feast conclusive. The word of the ruler of the feast to the host, "Thou hast kept the good wine till now," is proof positive to the devotee of Bacchus that it was intoxicating. To the abstainer, it is assurance that it was "new" wine. The incident alone throws no light on the habits of Jesus. A word of Jesus spoken on another occasion affords help. He said, "Neither do men put new wine into old wineskins, else the skins burst." If this has any meaning, it must refer to a custom of preserving new wine from fermenting. New wine, put into a new skin and kept under water or in a cool place, might be preserved. If new wine were put into an old skin, and the skin left open, the wine would simply ferment. But, if the mouth of the skin were closely fastened, the remains of the first filling, left around in the corners

and crevices of the skin, would set the new to fermenting and cause loss. It must have been much more expensive to preserve the new wine than the fermented. During the grape harvest, the new wine might be as cheap as the old, but later it must be more costly. How natural, then, that the new wine should be called "the good wine."

It is not claimed that this reasoning proves positively the total abstinence of Jesus in the modern sense of that term, nor that Paul was recommending new wine when he prescribed, "Take a little wine for thy stomach's sake." But the above facts do show that Christ cannot be claimed as sanctioning in any way the use of mild alcoholic beverages. Much less did He approve the American saloons, which are so rapidly disappearing from the country.

A ghastly argument, yet one often repeated in voice and type, is that we need the traffic in intoxicants, really the saloon, to enable us by resisting its temptations to grow a race of moral giants. We wait long and vainly from these defenders of the wine that "biteth like a serpent and stingeth like an adder," for one word concerning those who yield to the temptation and, weaklings, imbeciles, stumble their zigzag way through jail and poorhouse to a drunkard's grave. These are the fruits of the temptation plan. These are the giants the business makes, giant failures in all that renders life valuable, while the men whose parents guarded them from the fierce temptations of the "maddening bowl" are conquering the nations for Jesus Christ.

Are the Legislatures all mistaken in forbidding the sale of liquor to minors or inflicting fines upon him who allows a minor in the place where intoxicants are sold? If the temptations of the saloon are so wholesome, why not legislate a saloon on every corner, and send runners out to solicit customers—that they may hear the ribald talk, the low obscenity and the loud profanity, and thus add a cubit to their moral stature every day? Surely, he who is deceived by such saloon arguments is "not wise." How different from the Saviour-taught prayer, "Lead us not into temptation, but deliver us from the evil one." If America harbors any evil one from whom we need to pray for deliverance, it is the saloon and its annex.

But, lest the temptation argument should be taken too seriously, its advocate, before his words have dropped, interjects, "We must regulate it." But why regulate an institution so beneficent?

If it is creating saints, tried and tested, why curb its workings? The Beloved Disciple assures us that his Master came to destroy the works of the devil. Writing of the effects of strong drink, Ambrose Shepherd says, "'They are incarnated in horrors. . . . The injuries that simply swarm out of our licensed temptations to drunkenness are not exceptional and irregular; they are, as one of our most eminent publicists has said, 'uniform as the movements of the planets, and as deadly as the sirocco of the desert or the malaria of the marshes.'" The prohibitionist holds that the business should be destroyed rather than regulated. If he cannot destroy it wholly, he is willing to help regulate it by lessening its evils and destroying it little by little.

The prohibitionist is by no means satisfied with defending his position with Scriptural or moral weapons. He claims that the community has a complete right to outlaw the liquor traffic, especially the saloon, because the traffic in no way enhances the well-being of the community. It brings no contribution to either life, liberty or the pursuit of happiness. The prohibitionist does not aim to forbid the use of alcohol in the arts or as a medicine. Yet we cannot ignore the fact that it is rapidly falling into disuse in the sick-room. A physician said to me that he had ceased to prescribe it, except in the crisis of a fever, when he used it as he would a whip to drive a horse through a miry place. One day, he noticed that his patient grew bluer and bluer, instead of showing the glow of increased circulation. He watched cases with care, and learned that, though the pulse became faster under the influence of alcohol, it lost volume and vigor. He prescribed it no more even for a fever. He is one of a growing number in the medical fraternity.

The old belief that alcoholic beverages increase for a time mental activity and add to muscle strength and endurance is demonstrated to be a gross fallacy. The most careful scientific experiments, especially in Germany, show that even a little weakens arm and retards the mind. Employers have learned that the man who takes simply his beer with his meal is less efficient than without it. His eye is less clear, his hand responds more slowly; accidents are more numerous, and his work is less satisfactory in quantity and quality. Corporations are discouraging the use of alcoholic liquors, or forbidding it altogether. It does no good. There is a certain hilarity, resulting from

drink, or a temporary stupidity that forgets trouble; but it is safe to say that human happiness is not improved by intoxicants.

No one proposes a law forbidding the use of intoxicants. The enemies of prohibition claim that more liquors are consumed under prohibition than under license. If so, personal liberty is not violated by prohibitory laws.

Holy Writ assures us that no man liveth unto himself. It is most certain that no man drinketh unto himself. The drink business affects the whole nation. It is the great impoverisher. It receives voraciously, but never gives. Without the least compensation it absorbs from one billion five hundred million to three hundred billion of the national wealth each year. It is true that money paid over saloon counters for drinks is not burned or buried. But the money is lost to individuals, most of whom can least afford it. The capital invested in the traffic, the time of the men employed, the time lost by drinkers, the lessened energy of brain or muscle of workmen in all walks of life, the loss through drink-caused sickness, the depreciated future value to the state of children whom drink-impoverishment robs of an education, at least one-half the cost of criminals, insane and poor, and other charges beyond enumeration, make a financial indictment against the traffic equal at least to the vast sums just mentioned. Every one would be richer but for this heavy drain on our national resources, and every one has a right to demand the prohibition of the pauperizer.

Leading business men, especially in Ohio, are taking a prominent part in securing prohibition, by county local option, because they learn that closing the saloons pays poor debts, increases business, erects new houses and lessens taxes. The decrease of crime-expense and increase of property values greatly overbalance the license money from the saloons. Thus sixty-two of the eighty-eight counties of Ohio have bid the saloon begone. Eight counties more are expected to heed the warning, "whoso is deceived thereby is not wise," and join the prohibition army. Governor Hoch has told of the empty jails and poorhouses all over Kansas. Bankers and merchants of Kansas City of that State, who at first strenuously opposed law enforcement against the saloons, now unite cheerfully in testifying to the increase in bank deposits, the enlarged sales of all goods, the improved collections and the building boom. Empty jails indicate high morals. The

saloons being banished, poor lists shrink and school attendance swells. Hundreds of children, who were in training for loafers and thugs, turn to the schools and become producers and statesmen in the making.

The liquor traffic depopulates schools and crowds jails, it weakens churches and multiplies brothels, it desolates homes and fills cemeteries. Occasionally it perverts the daily press and at times taints the pulpit itself.

The courts of every grade have repeatedly affirmed the rightness of prohibition. In the case of Crowley *vs.* Christiansen (137 U. S., 86; 11 Sup. Ct., 13), the United States Supreme Court, through Justice Field, said:

"By the general concurrence of opinion of every civilized and Christian community, there are few sources of crime and misery to society equal to the dram-shop, where intoxicating liquors, in small quantities, to be drunk at the time, are sold indiscriminately to all parties applying. The statistics of every State show a greater amount of crime and misery attributable to the use of ardent spirits obtained at these retail liquor-saloons than to any other source. The sale of such liquors in this way has, therefore, been, at all times, by the courts of every State, considered as the proper subject of legislative regulation. Not only may a license be exacted from the keeper of the saloon before a glass of his liquor can be thus disposed of, but restrictions may be imposed as to the class of persons to whom they may be sold, and the hours of the day and the days of the week on which the saloons may be opened. Their sale in that form may be absolutely prohibited. It is a question of public expediency and public morality, and not of Federal law. The police power of the State is fully competent to regulate the business, to mitigate its evils or to suppress it entirely. There is no inherent right in a citizen to sell intoxicating liquors by retail. It is not a privilege of the citizen of the State or of a citizen of the United States. As it is a business attended with danger to the community, it may, as already said, be entirely prohibited, or continued to be permitted under such conditions as will limit to the utmost its evils."

In the case of Stone *vs.* Mississippi (101 U. S., 816), the same court said, "No legislature can bargain away the public health or the public morals. The people themselves cannot do it, much less their servants." This pronouncement of the Supreme Court fully warrants the decision of Judge Artman, of Indiana, that no legislative enactment can legalize the sale of intoxicating beverages. As sure as Christianity continues its triumphs, so sure will Judge Artman's decision become the law of the land.

HENRY COLMAN.

THE NEW IRELAND.—X.

"THE NATIONALISTS."

BY SYDNEY BROOKS.

I ENDEAVORED, in my last article, to show the influence of the new forces that are remaking Ireland upon the temper and prospects of the Unionists, of the British "garrison," of the old ascendency party. Their effect, however, is far from being confined to the "loyal" minority. It is equally operative and dissolvent in the case of the members and supporters of the Irish Nationalist Party. It is, indeed, a remarkable fact that none of the new elements in the Irish situation owes anything to the Nationalists, that one of these elements is pronouncedly hostile to the pretensions of that party, and that of the remainder that party has been obliged, in sheer self-defence, to fall in behind some, while others it has unavailingly striven to cripple and discredit. Thus the Sinn Féin movement, which is rapidly capturing the youth of Ireland, is a blow at the very heart of Parliamentarianism. The Gaelic League, again, had won an established place for itself in the hearts of the people before the Nationalist M.P.'s seemed even aware of its existence; and to the Agricultural Co-operative movement, the activities of the Department of Agriculture, and, indeed, to every effort to make Ireland more prosperous and self-reliant and to regenerate her from within, the Party leaders have opposed an obstruction as unremitting as it has been futile. These are deplorable tactics. They raise the presumption that the demand for Home Rule is in inverse ratio to Irish well-being, and that official Nationalism would rather see grievances go unredressed than throw away a single weapon of agitation. Moreover, they prevent the industrial and economic side of the case for Home Rule from being set before the British

public in its most effective and convincing form, and they enormously impair the moral authority of the party that, having adopted them, is unable to impose them upon the electorate. There are standpoints from which it may be said that no two men living have done more to hinder the material betterment of Ireland than Mr. Redmond and Mr. Dillon. My complaint against them is not in the least that they are anti-English. It is that they are not sufficiently pro-Irish. They have been dragged reluctantly in the wake of movements they should have led, and they have excommunicated enterprises that the people have welcomed and made the most of. And they are paying the penalty in a visible loss of influence, in the rise of rival agitations, and in a gathering stress of centrifugal dissension and discontent.

Indeed, there is something singularly precarious in the whole position of the Irish Party just now. It is a party not only without a Parnell, but without the National movement that Parnell evoked. The Irish, it has often been said, are an aristocratic people. They have a genuine instinct for being led; one of their greatest misfortunes, indeed, is that they have never yet had the right sort of leadership. They will follow a man further and cleave to him longer than almost any people on earth. But all this, while true, is not unreservedly so. To lead the Irish successfully you must be one of two things. You must either be magnificently Irish yourself, as O'Connell was; or, like Parnell and, to some degree, Isaac Butt, you must have little or nothing characteristically Irish about you. The one being the Irish will not follow is the mediocre Irishman. I will not say that Mr. Redmond is a mediocre Irishman, but I will say that even his real Parliamentary capacities do not raise the enthusiasm that is felt for him in Ireland beyond the obligatory amount that must always gather round the leader of the National cause. Mr. Redmond is a considerably greater power in the House of Commons than in his own country. Lacking both the fervor of O'Connell and the commanding and authoritative reserve of Parnell, he never quite reaches either the hearts or the instincts of the Irish people. Spending most of his time in London and absorbed in Parliamentary manœuvres, he is far more out of touch with popular sentiment than he should be. Nobody suspects his devotion to Home Rule, but nobody, on the other hand, is going to mention him in the same breath with Wolfe Tone. The Irish people,

while they have a certain respect for his abilities, feel no affection for him, are disenchanted by his aloofness, and are more than half inclined to whisper that he has a good deal of the landlord in his composition. And even in the Party itself his authority has its distinct limitations. Mr. Healy stands outside it and Mr. William O'Brien has headed a movement of rivalry, if not of downright opposition, all the more formidable for being based on common sense. Nearly the whole of the province of Munster looks to Mr. O'Brien for leadership, while throughout the rest of Nationalist Ireland for every once that you will hear Mr. Redmond's name mentioned you will hear Mr. Dillon's half a dozen times. It is only officially that Mr. Redmond is the leader of the Irish Party. His position in Parliament, at the head of a compact group of eighty members, is out of all proportion to his influence and popularity in Ireland. Under his leadership the effective authority of Party headquarters has steadily contracted and discipline has as steadily relaxed.

There are three distinct ways in which this progressive weakening of centralized control has made itself felt. First, the Party shows some signs of falling back into the slough from which it was rescued by the masterful genius of Parnell. Its personnel has deteriorated. Of the eighty-odd Nationalist M.P.'s in the House of Commons about sixty-five are mere ciphers, of little account in their own constituencies, and of none at all at Westminster except as voting-machines. In many ways I greatly admire and sympathize with the Irish Party. They are brilliant Parliamentarians. Both as orators and as tacticians they are superior, far superior, to any other group in the House of Commons. Although the majority of them are poor men, who could not live in London unless their expenses were paid for them, no breath of corruption has ever touched their honor. They hold rigidly aloof from the wild scramble for Government patronage. Although often torn by personal feuds, they manage on the whole, and against inconceivable odds, to preserve a unity that is little less than marvellous, and they have learned with consummate dexterity how to extract the last ounce of advantage from their position of independence varied by occasional and temporary alliances. Their life can hardly be an enjoyable one. They are in the House, but not of it. They feel and proclaim themselves a foreign body in its composition. With ninety per cent. of the

subjects on which it legislates, they feel no concern whatever; and the one subject which engrosses them has long since revolted the House. Parliament is sick of Ireland, and the great debates on Irish affairs that read so well when reported *verbatim* in the Irish papers take place for the most part in an empty, yawning Chamber. To enliven its proceedings with scenes of violence and obstruction, to degrade and stultify the assembly they cannot master, to sting and outrage and gibe at English sentiment and prejudices is, after all, a tedious and unproductive form of vengeance or consolation. It cannot reconcile Irish Nationalists to being exiles in an alien Parliament where they are hopelessly outnumbered, always in opposition, and rather openly despised and disliked, or to being surrounded by a resplendent society in which they have no part, or to fighting year after year towards a goal that seems ever to recede. On the whole, I do not know of a political existence more discouraging, irksome and wearing than that of the Irish Party in London.

For these reasons and for many others, I feel, as I have said, admiration and sympathy for the Irish Nationalists. But I cannot on that account, or because their ultimate aim has my entire approval, hide from myself that the last fifteen years have witnessed a steady decline in the personal and representative character of the Irish M.P.'s. Men have been foisted upon the Party who, in their heart of hearts, do not care twopence about Home Rule and who represent the local publican, money-lender or priest far more faithfully than they represent the National cause. The more vigorous and stalwart Nationalists in Ireland intensely resent the degree to which the Party has fallen under the domination of these undesirable elements. The Catholic Church, the saloon-keeper and the gombeen-man pull the strings to which Mr. Redmond dances; and their henchmen in the Party, while contributing nothing to the National cause, are instant and virulent in their opposition to anything that trenches on the clerical control of education, or on the interests of the liquor trade, or on the tyranny which the money-lender exercises over almost the whole of rural Ireland. That many of them are far from conforming to the English notions of what a "gentleman" should be is a very minor defect. It is a more serious disadvantage, but rather, I think, their misfortune than their fault, that they should be fitted neither by education nor experience nor inclina-

tion for any kind of politics higher than those of the committee-room and the monster meeting. But it is altogether Ireland's own doing if she sends to represent her at Westminster men whom she would not only never dream of electing to a Home-Rule Parliament in Dublin, but who habitually place the interests of their own special trade or creed or class above the interests of the country as a whole, and whose devotion to Home Rule is of the lip merely. It is the presence of too many men of this stamp in the Irish ranks that partly explains why the Nationalists seem to be gathering next to no recruits among the rising generation. The Party leaders of a decade and a half ago are the Party leaders to-day. The land is almost bare of coming men. The youth and energy of Ireland are pouring themselves into other and rival channels. Their heart is no longer in the official programme. They are coming to look upon the Nationalist leaders rather as play-actors provided for their diversion than as the protagonists of a great national cause. The Party needs new blood, if only to give the country something fresh to think about, but the new blood is gravitating towards Sinn Féin, so far as it is gravitating towards anything, and the familiar leaders, with their familiar speeches and their familiar tactics, are beginning to grow monotonous. All that is most earnest and hardy in the Irish people is in revolt against thimble-rigging politics, is realizing that there is more to be done in Ireland than at Westminster, and is discovering, for the first time in Irish history, that politics, after all, are but an incomplete expression of a nation's totality.

One of the results of this loss of popular interest in the Irish Party is that there is an ever-increasing difficulty in raising funds. O'Connell, who organized a far more powerful movement than Mr. Redmond or Mr. Dillon will ever be able to inspire, supported it entirely by Irish contributions. The leaders of the Party to-day are forced more and more to sponge on America and Australia for the means to carry on their work. As a consequence, we are presented with the amazing spectacle of eighty members of the British House of Commons drawing their inspiration, and to a very large extent their sustenance, from sympathizers in a foreign land, who know very little about Ireland, who are in no way responsible for its welfare, and whose generous but mistaken assistance has the effect of shifting the centre of gravity of the Irish movement from Ireland itself to another country and of

relieving the Irish people from the necessity of thinking and acting for themselves and of bearing the expense of their own political work. It is a burden that Ireland is perfectly competent to shoulder without extraneous aid. The pronounced unwillingness of the Irish people to finance the National cause out of their own pockets is not due to any lack of money. The number of professed Nationalists in the country can hardly be less than three millions. I am willing, for the purposes of this argument, to write two-thirds of them off the list as non-effectives. That would leave a million convinced Home-Rulers. If each of them were to subscribe to the Party funds a sum of twenty-five cents a year an annual income of $250,000 would be the result; and this amount would be amply sufficient to provide for the support of all the Nationalist M.P.'s and leave a handsome margin for the purposes of propaganda. I repeat that the Irish people have the money. There are at this moment some $300,000,000 on deposit in the joint-stock banks, the post-office and the savings-banks of Ireland. The imports and exports of the country fall little short of $600,000,000. The Irish spend about seventy million dollars every year on drink and some seventeen million dollars every year on tobacco, and there always appears to be plenty of loose cash when it comes to a question of horse-racing or of building a new church. Yet they are so niggardly in the support of the cause of Nationalism that their leaders have to tramp the world, cap in hand, begging for the means to carry on their propaganda.

This is a curious and significant phenomenon. It raises in an acute form the doubt that always assails the dispassionate inquirer into Irish affairs, the doubt as to how far the Irish people really care for Home Rule. I believe it was Lord Dufferin who remarked that the Irish did not know what they wanted and would never be happy until they got it. There are many senses in which the epigram still holds good. The Irish suffer from a clumsy, extravagant and, above all, anti-national and unsympathetic government; and that is a genuine grievance. But I have never been able to detect among them any of the fierce spirit of an oppressed people struggling to be free. They show none of the determination of the Poles or the Finns. They enlist in the British army and make unsurpassable soldiers. The Royal Irish Constabulary is the most abused, but at the same time the

most popular of British institutions in Ireland; and practically the whole of its rank and file is composed of Catholics and Nationalists. If Ireland is really enslaved, it looks as though Irishmen take an unnecessarily active part in forging and riveting the fetters. They proclaim themselves the eternal enemies of the British Empire, yet they fight its battles and extend its dominions. They pose before the world as a nation held down by force, but at the same time it is they themselves who supply the bulk of the recruits for the army of subjugation. They insist that they have a distinct nationality of their own, yet they have voluntarily allowed themselves to become almost wholly Anglicized in speech, dress, manners and recreations. With an endless flow of rhetoric, they reiterate that nothing but Home Rule will satisfy them, yet they hand over to Americans and Australians the irksome duty of financing the agitation that presumably lies so near their hearts. What is one to make of all these contradictions? Is it that Home Rule appeals to the Irish merely as a nebulous sentiment, and that their patent reluctance to sacrifice anything for it gives the measure of its essential hollowness? I confess I do not know. I merely observe the historical fact that the demand for Home Rule only became really formidable when it was linked on to the agrarian agitation. The land-hunger of the peasantry has unquestionably furnished the motive power of the movement for political autonomy. That land-hunger is now at last by way of being appeased. Will Home Rule, deprived of what, for thirty years and more, has been its life-blood, be able to stand alone? Has it sufficient innate vitality to hold its own when divorced from the question of the land? Does the pacification of the peasantry mean the increasing depletion of the Nationalist exchequer and the increasing attrition of interest in the Home-Rule movement? Will the new proprietors of the soil, having obtained all that is obtainable out of political agitation, proceed to button up their pockets and attend to business? That is, indeed, the question of questions, and I know of nothing more fascinating than to speculate, with Irish history in one's mind, on the probable influence of a peasant proprietary upon the social, religious and political life of the country. A certain partial light has, perhaps, already been thrown upon it. To the innumerable faction-fights that add relish to Irish existence there has, at any rate, been added this one—of peasants who are still

tied to dual ownership, seeking, with stones and shillalahs, to force their neighbors who have purchased, under the Wyndham Act, to continue subscribing to the United Irish League.

But for the present Mr. Redmond and his followers remain—it is their greatest asset—the Party in possession. Their organization, the United Irish League, has nearly fifteen hundred branches throughout the country and is in many ways a stronger power than the British Government itself. It keeps the agitation alive, holds public meetings, circulates resolutions on all conceivable topics, attends to the capture of the local government bodies and, above all, settles the agrarian code and policy of each district—decides, that is to say, who is to be boycotted, whose cattle is to be driven, and who is entitled to the first farm that falls vacant. Ireland, one must always remember, is a country not of individuals, but of cliques, factions and committees; and the struggle of hostile groups to get control of the local branch of the League and use it as an instrument of intimidation and persecution is of far more interest to the people than the question of Home Rule. There is a sense in which Ireland may be compared with Macedonia. The Macedonian problem underwent two phases. In the first phase, the Turks preyed on the Christians; in the second, the Christians preyed on one another. So in Ireland the old conflict between the Catholic, Irish and Nationalist tenant and the Protestant and English landlord has pretty well ended; and in its place has arisen a bitter internecine warfare among the Irish themselves, a warfare in which the contestants on each side seek to turn the power of the United Irish League against their enemies. Where agrarian peace has been established, where the tenants of the old days have become proprietors, and where, in consequence, men of some independence are to be found, the League has little influence. But where conditions are still unsettled, where, for instance, a man is in possession of a farm from which the former tenant was evicted, or where, as is the case throughout large areas in the West, wretched and uneconomic holdings lie in the immediate neighborhood of vast, untilled grazing-lands, there the League is still a formidable instrument of agitation, of petty tyranny and of social unrest. The control of such an organization is, of course, of supreme value to the Irish Party. Then, again, as I have said, Mr. Redmond and his followers have the money. The bulk of it

comes from America and Australia, and the comparatively small sum that is raised in Ireland is collected by the priests, who exact full payment for their services. You can always tell the state of the Irish Party's funds by watching the degree of its subserviency to the Church. When America is generous, the Party will venture on a little whirl of independence. When the exchequer is low, it has no option but to come, however reluctantly, to the clerical heel. I shall have occasion later on to touch upon the relations between Irish Nationalism and the Catholic hierarchy. Here I will merely note that, while the Nationalists are jealous of the Church, and while the Church distrusts the Nationalists, neither side dare risk an open rupture. For the Party to break with the Church would be to invite self-destruction. For the Church to break with the Party would be to throw away a weapon it has hammered into malleability. The destruction of the Irish Party would mean the instant rise of a more stalwart organization little inclined to take its cue from the priesthood; and Mr. Redmond can only quarrel with the Church at the risk of cutting off the flow of Irish subscriptions and committing himself to a fierce and doubtful struggle. Church and Party, though without enthusiasm, support and uphold each other from motives of self-interest. You are always expecting the explosion which never comes.

And besides the organization, the money and the Church, the Irish Party has the people behind it, or at least the majority of them. That is to say, in nearly every part of the country Mr. Redmond and his followers can still be sure of a huge audience, flamboyant resolutions, a welcome of banners and brass-bands and an infinity of cheering. The Irish people revel in such demonstrations. "In a land," said a candid Nationalist recently, "where there are so few amusements, where the theatre and the ball and the concert are regarded as being certainly dangerous and in all probability sinful, the tours of the Parliamentary Party contribute not a little to introduce a much-needed element of gayety into the national life. Redmond and his merry men are to Ireland very much what Thespis and his must-smeared mummers were to the inhabitants of old Attica." It is an old story that the average Irishman's idea of Paradise is an endless monster meeting in the Valley of Jehoshaphat. There is something in such gatherings and their accompaniments that he finds peculiar-

ly grateful to his sensibilities. Not only are they the only national sport that he practises, but they make an irresistible appeal to his emotionalism and his sense of dramatic effect. It is, in fact, in the spirit of an unjaded playgoer at a first night's performance that he assists at them. He goes to be excited and entertained, to lose himself in a pleasurable succession of thrills, to meet his friends and be stimulated with them. He will pass whatever resolution is presented to him in a roar of cheers, but that he should be expected to act on it simply does not occur to him. Language in Ireland means a very different thing from language in any other country with which I am acquainted; it is an end in itself. The people have scarcely the rudiments of political education; volubility of speech goes hand in hand with the repression of all independent thought; and no clap-trap is too hollow for an Irish audience to accept with avidity. The mere fact, therefore, that the Irish Party is still able to hold enthusiastic meetings over most of the country argues little or nothing as to the degree of earnestness and conviction among the common people. It has, however, its value in making good the Party's claim to be, ostensibly at any rate, the acknowledged representative of Irish Nationalism. I do not see how this claim can be disputed. The Irish Party, so far as my powers of observation go, are in no serious danger of being ousted. The break that the Sinn Féiners have made in their ranks is as yet so slight as to be almost imperceptible. From the open attack of rival Nationalist bodies, either more extreme or more moderate than themselves, Mr. Redmond and his followers seem to me, on the whole, fairly secure. Nevertheless, dissatisfaction with them is wide-spread, and new conditions have arisen and new influences are at work which cannot but greatly modify their policy and conduct.

First, as I have said, there are the Sinn Féiners who advocate the complete withdrawal of the Irish M.P.'s from Westminster, and belabor the Party at least as heartily as the Party itself belabors the British Government. The Sinn Féin policy is doubtless impracticable, and even if it were practicable I question whether the Irish have the virility to adopt and stand by it. But the Sinn Féin spirit of individualism and self-reliance is gaining ground everywhere, and the Sinn Féin conception of a higher and all-embracing nationality is also gathering in its con-

verts. Thus, an atmosphere is being propagated that is fundamentally hostile to the idea of a pledge-bound, mechanical, arbitrary Party and to the gasconading resolutions, the stifling of private thought, the enforcement of a made-to-order mob-opinion, and the other ingenious and demoralizing methods of organized terrorism by which that Party carries on its propaganda. All that is most vigorous and aggressive in Irish Nationalism revolts against the Party's compliance with clerical demands and against the foreign subsidies that enable it to stand between the Irish people and the genuine, self-contained and constructive Home-Rule movement which, but for the politicians, would assuredly be evoked. The Irish Party has always confounded Nationalism with politics and has always dubbed as anti-national those who did not subscribe to its own political formulæ. The new Ireland relegates politics to a secondary place, works for a union of all classes, creeds and parties, and welcomes everything, from whatever source, that contributes to Irish well-being. The Irish Party has consistently acted on the principle that the salvation of Ireland is to be wrought by speeches and manœuvres in the House of Commons; it has neglected the intellectual, moral and economic progress of the country in order to concentrate all its strength on the constitutional panacea; it has denied that Ireland could be prosperous without Home Rule, and it has opposed and condemned every effort to make her prosperous as an act of treason to the national cause. The new Ireland, on the other hand, relies for the regeneration of the country and its people upon the practical work of Irishmen in Ireland, scouts the notion that the Irish question is a question of politics merely, and insists that the task of betterment shall be no longer postponed till an Irish Parliament is able to take it in hand. Thus the Irish Party has contrived to separate itself at more than one point from the best Irish thought. It has no solution to propose except politics and agitation for the thousand and one problems that the creation of a peasant proprietary has called into being; and it continues to display an unremitting jealousy of every non-partisan effort to promote the welfare of the new order. The policy of the Irish Nationalists has, indeed, been little less sterile, sectional and negative than the policy of the Irish Unionists. They have made no attempt to conciliate Ulster, and they have shown a misunderstanding of the English nature and character

hardly less complete than the English misunderstanding of the Irish nature and character. They have always, for instance, refused to define what it is they mean by Home Rule or to put forward any scheme as a basis for discussion; and their policy of gloating over British disasters and of making provocation and *intransigeance* the key-note of their political conduct has been precisely the policy most calculated to confirm and irritate the prejudices of the English public.

In Ireland itself, they are played upon, now as ever, by two impulses and confronted by two alternatives. On the one hand, the dying out of the land war, the exhaustion, disillusionment and indifference of the masses threaten to rob the National movement of its old driving power. On the other hand, the new turn of the Irish mind towards the material and constructive, the new sense of nationality and interdependence, the gradual but sustained approximation of all Irishmen towards a common centre, summon all who profess to be the representatives of the Irish people to the accomplishment of a more vigorous, a more practical, a more self-reliant programme. The shortcomings, blunders and weaknesses of the Irish Party are obvious enough. But it must not be forgotten that on the main question it is they, and not their Unionist opponents, who are in the right, and that their ultimate aim, so far as it involves a radical change in the system and spirit of English rule in Ireland and directly associates the Irish people with the management of their own affairs, is the aim of an enlightened statesmanship. If the Irish Nationalists will only recognize that to further every project of internal amelioration and to widen their definition of nationality till it embraces all Irishmen is not only perfectly compatible with that aim, but helps to justify it, all may yet be well with them. I do not in any case expect to see them disappear from the political arena. Even if there were nothing else, enough of the agrarian problem still remains unsettled to furnish them with fuel for agitation on the old lines for several years to come. But unless they respond to the new and vital movements that are stirring Irish life and thought, they will cease with an increasing celerity to be the representatives of the Irish people, the life will have gone out of them, and they will be pushed aside for men of wider vision and more enduring purpose. SYDNEY BROOKS.

(To be Continued.)

THE EVOLUTION OF DRAMATIC TECHNIQUE.

BY ARCHIBALD HENDERSON.

In the contemporary dramatic movement, nothing is more certain than the uncertainty of criticism in regard to the fundamental structure of a work of dramatic art. The iconoclasm of modern dramatic practice has been vastly unsettling in destroying old superstitions and inaugurating new heresies. English dramatic criticism in the closing half of the nineteenth century achieved notoriety, rather than notability, for its failure to recognize the great modern masters in drama for our epoch—Ibsen and Wagner. This failure arose because Ibsen and Wagner violently broke with the traditions; and, even in doing so, they set a standard of rigor and craftsmanship seldom, if ever, equalled upon the ancient stage. There is always something of the iconoclast in the genius: the iconoclast and the reformer are phases of one and the same life. It is often the case that greatness does not consist simply in doing what other people have done and doing it better: efficiency might better describe Emerson's ideal. Genius consists in doing what no one else has ever done before, and setting new standards for posterity to formulate. "The greatest artist," as Bernard Shaw says, "is he who goes a step beyond the demand, and by supplying works of a higher beauty and a higher interest than have yet been perceived, succeeds, after a brief struggle with its strangeness, in adding this fresh extension of sense to the heritage of the race."*

It is no less true of drama than of any other form of art that its laws are not abstract principles dogmatically enunciated by the greatest and most authoritative critics. On the contrary,

* "A Degenerate's View of Nordau"; Liberty, New York, July 27th, 1895.

these "laws" are generalizations from study and analysis of all extant works of dramatic art. True drama springs from the inner essential necessity of the dramatic artist for creative self-expression, and not from any motive, however laudable and worthy, to conform to classical traditions or to adapt one's self to current taste. Oscar Wilde was quite right in the assertion that the public is not the munificent patron of the artist, but that the artist is the munificent patron of the public. For too long, dramatic critics have been "telling a lie in a heroic couplet":

> "The drama's laws the drama's patrons give;
> And those who live to please must please to live."

That fresh extension of sense to the heritage of the race, of which Shaw speaks, is the contribution of neither critic nor public, but of the creative artist himself. The "laws" of the drama are the integrations of the practice of all dramatists, past and present. Every great pioneer in drama necessarily causes some modification, some recodification, of the "laws" of that art.

The way-breaker in art, it must be granted, is at once disciple and master of his age—disciple, because he must study and realize his age in order to be its interpreter and exponent; master, because he imparts to his artistic product something personal, incommunicable, inalienable—and thereby dominates the thought of his contemporaries. The evolutional trend of all art, imaginative and realistic, renders it imperative for the dramatist to make himself conversant with—which is not at all the same thing as slavishly subservient to—the prevailing conditions of his art as practised by his fellow craftsmen. If the dramatist purports to be the brief and abstract chronometer of the time he must, of course, take account of all that has been done before him, reaping the benefit of both past progress and present innovation. "We shall find, I think," says Arthur Wing Pinero, "that the drama is not stationary but progressive. By this I do not mean that it is always improving; what I do mean is that its conditions are always changing, and that every dramatist whose ambition it is to produce live plays is absolutely bound to study carefully the conditions that hold good for his own day and generation."*

* "Robert Louis Stevenson, the Dramatist; The Critic": New York, April, 1903.

In this present day, when such practical scientists as Hugo de Vries and Luther Burbank have shown that evolution frequently proceeds, not by infinitely slow processes extending through æons of time, but by sudden and startling mutations, one need not be surprised to find verificative analogues in the domain of art and letters. Indeed, the history of the drama significantly indicates that its evolution has frequently operated through sudden mutations at periods when the drama flourished as the most potent of the forms of literary art. The history of drama is made up both of the biographies of great men and of the biographies of great movements—direct and spontaneous outbursts of creative energy. The drama has been defined as the meeting-place of life and art; and hence one need not be surprised to discover that the drama is as mutable as the conditions of the civilization which gives it birth. Aristophanes knew as little of the captain of industry as Shakespeare knew of wireless telegraphy or Molière of Darwinism. It would have been as impossible for Calderon to write a "Ghosts" or "A Waste" as it would be to-day for Bernard Shaw to say what society will be like under Socialism—should it ever come!

It is no matter for surprise, then, that plays, like people, have a way of ageing. The artist of one age is the artisan in the view of the next. The rigid conventions of one period of art culture become the threadbare conventionalities of a more advanced epoch. Customs, manners and even morals all become obsolete in the course of time. Human nature, essential virtue, alone remains the same. *"Plus ça change, plus c'est la même chose"* is an aphorism that breaks down in the drama in its structural and external aspects. The face of society and the conventions of technique are perpetually changing and remaining changed. Plays begin to "date" deplorably after a certain length of time.

"Everything has its own rate of change. Fashions change more quickly than manners, manners more quickly than morals, morals more quickly than passions, and, in general, the conscious reasonable life more quickly than the instinctive, wilful, affectionate one. The dramatist who deals with the irony and humor of the relatively durable sides of life, or with their pity and terror, is the one whose comedies and tragedies will last longest—sometimes so long as to lead a book-struck generation to dub him 'Immortal'; and proclaim him as 'not for an age, but for all time.'"—"The Second Dating of Sheridan: Dramatic Opinions and Essays." By G. Bernard Shaw, Vol. II, p. 29.

In precisely the same way the fundamental outlook of the drama, its *Ausschauung,* if I may so express it, undergoes alteration in the course of time through the influence of the evolutionary trend of human ideals. So also the *métier* of the drama may alter in character through the propulsive effect of evolutionary art ideals. The *œuvre à thèse* of a Brieux is as foreign to the age of Corneille as the democratic art of Tolstoy to the Elizabethan era. Moreover, the conventions of the drama are perpetually undergoing mutations of a more or less revolutionary character. The rules which bound Shakespeare do not impose upon Ibsen; the term "*la pièce bien faite,*" once a phrase to conjure with, has now become a term virtually depreciative and condemnatory. "Nowadays an actor cannot open a letter or toss off somebody else's glass of poison," Bernard Shaw remarks, "without having to face a brutal outburst of jeering!"

In the light of modern criticism, it is quite obvious that Aristotle wrote for his own epoch, not for ours. Indeed, it is a question whether he was final in his "Poetics," even for his own epoch. In the time of Corneille, the *odium dramaticum* burned almost as fiercely as the *odium theologicum.* No dramatist was given the critical *imprimatur* who did not conform to the "three unities." The curious circumstance in connection with this practice of the French and the Italians is that, whereas they supposed they were imitating the ancients, as a matter of fact the unities of time and place were not erected into principles by the Greek tragic dramatists. In his "Poetics," Aristotle rightly insists upon the one indispensable unity—unity of action; but he actually does not lay down the preservation of the unities of time and place as fundamental laws of the drama. Unity of place is not touched upon in his "Poetics"; and his disquisitions upon unity of time are merely his observations drawn from a study of the habitual practice of the ablest dramatists who flourished up to his time. From the philosophic and ethical side the crude notion of poetic justice has given place to an infinitely more human, if less artificially symmetrical, scheme of things. Only in melodrama, in the absolute sense, does this system of graded rewards and punishments still rankly flourish.

Gustav Freytag, the great modern authority upon dramaturgics, wrote his "Technique of the Drama" nearly half a century ago. The importance of this simple statement lurks in the fact that

this one great modern standard was written before Henrik Ibsen had produced his wonderful social dramas of modern life. Hauptmann and Sudermann had not written one of their studies of modern society which, since Ibsen's death, place them at the summit of contemporary dramatic art. Wilde and Shaw, as children, were playing, care-free, in Dublin; Rostand and Hervieu were babes; while Maeterlinck and Barker were yet unborn.

The questions, technical and dramaturgic, raised by the persistent practice of dramatists since the middle of the last century, demand conscientious solution at the hands of contemporary students of the drama. New ideas have forced their way to the front; new forms of art have left their distinctive impress upon the stage; new dramatic conventions have replaced the outworn conventionalities of an earlier epoch. The pressure of realism and the impulsive thrust of the new social order have basically affected the tenor and structure of the drama. The psychology of the crowd helps us to understand more clearly the secrets of popular appeal. The architectural features of the modern playhouse are not without their subtle influence in separating even more irrevocably play from public, actors from audience. Gone is the tennis-court stage of the Grand Monarque, gone the court-yard stage of Shakespeare, gone even the semicircular platform of half a century ago. To-day the illusion of objectivity is immense: we gaze through a picture-frame encircling the farce or the melodrama, the comedy or the tragedy, of this our time. When we enter that palace of light and sound, the theatre, we become innocent accessories after the fact to all that goes on before us in a room of which one wall has been removed.

It is high time—not to retrace our steps, for there can be no turning back,—but to orient ourselves and to take stock of our present status. Many arresting and disquieting problems to-day press for solution; and while Steiger, Volkeldt, Brunetière, Sarcey, Faguet, Walkley, Archer, Shaw and Matthews have written much, and ably, concerning the technique of the drama, Freytag's successor has not yet appeared to justify to the artistic, the critical and, one may even add, the scientific conscience, the most modern forms of dramatic art. It may not be amiss to indicate, quite briefly, the principal questions of technique in the contemporary drama which press for adequate treatment in terms of evolutionary and constructive criticism.

First of all, the actual subject-matter of drama has taken the color of the age in which we live; and we must not forget that all technical questions ultimately depend upon the materials with which the dramatist works. The modern era, with its levelling democracy, its social accent, its preoccupation with the affairs of the average man, its discovery of the miracle of the commonplace, has ushered into the drama an entirely new range of subjects. In the drama of the past the personages and events treated were distinctly aristocratic in nature. Nobility of character was identified—or confused?—with nobility of rank. Great events were universally associated with people of high station. In Whitman's view, Shakespeare was pre-eminently the poet of courts and princes; and Ernest Crosby made quite clear the attitude of Shakespeare toward the working-classes. To-day, that "literature of the centre" of which Matthew Arnold spoke seems to be giving way more and more to the literature of the circumference. The old notion still persists in many quarters; and we find even so stimulating a critic as Mr. W. L. Courtney saying:

"There may be tragedies in South Hampstead, although experience does not consistently testify to the fact; but, at all events, from the historic and traditional standpoint, tragedy is more likely to concern itself with Glamys Castle, Melrose Abbey, Carisbrooke, or even with Carlton House Terrace."*

The charge triumphantly urged against Ibsen by "the old guard," headed by Clement Scott, is that he is provincial, parochial, suburban; that he deals with ordinary people and everyday life; that he has definitively doffed the purple pall of tragedy. In this assertion inheres the secret of Ibsen's distinction, the note of his social dramas of modern life. As Bernard Shaw says:

"Suburbanity at present means modern civilization. The active, germinating life in the households of to-day cannot be typified by an aristocratic hero, an ingenuous heroine, a gentleman forger abetted by an Artful Dodger, and a parlor maid who takes half-sovereigns and kisses from the male visitors. Such interiors exist on the stage and nowhere else. . . . But, if you ask me where you can find the Helmer household, the Allmers household, the Solness household, the Rosmer household, and all the other Ibsen households, I reply, 'Jump out of a train anywhere between Wimbledon and Haslemere, walk into the first villa you come to, and there you are.' . . . This suburban life, except in so far as it is totally vegetable and undramatic, is the life depicted

* "The Idea of Tragedy." By W. L. Courtney, p. 122.

by Ibsen. Doubtless some of our critics are quite sincere in thinking it a vulgar life, in considering the conversations which men hold with their wives in it improper, in finding its psychology puzzling and unfamiliar, and in forgetting that its bookshelves and its music-cabinets are laden with works which did not exist for them, and which are the daily bread of young women educated very differently from the sisters and wives of their day. No wonder they are not at ease in an atmosphere of ideas and assumptions and attitudes which seem to them bewildering, morbid, affected, extravagant and altogether incredible as the common currency of suburban life. But Ibsen knows better. His suburban drama is the inevitable outcome of a suburban civilization (meaning a civilization that appreciates fresh air); and the true explanation of Hedda Gabler's vogue is that given by Mr. Grant Allen: 'I take her in to dinner twice a week.'"*

The drama typical of our day is *bourgeois* in character, dealing with the thoughts and passions, the loves and hates, the comedies and tragedies, of the sort of people we meet every day on the street. They are people with like passions as ourselves, and the incidents of their lives are constantly being reproduced around us in real life. The influence of the first truly realistic novels, dealing with the affairs of people quite commonplace in every respect, save that of human interest or moral passion, was gradually felt in the sphere of the drama.† The pedestrian realism and middle-class preoccupations of Richardson, of Fielding, of Rousseau set up a movement in fiction which first met acceptance in the drama at the hands of Diderot, and found further and higher development through the instrumentality of Dumas *fils*, Augier, Ibsen, Björnsen and the modern school of playwrights. The anecdotes and adventures which constitute the material of the earlier drama have lost their hold upon the modern world because they no longer furnish us that thrill of immediate actuality, that vital interest of contemporaneous circumstance, which live only in the atmosphere of to-day. As Maeterlinck says:

"Consider the drama that actually stands for the reality of our time, as Greek drama stood for Greek reality, and the drama of the Renaissance for the reality of the Renaissance. Its scene is a modern house; it passes between men and women of to-day. The names of the invisible protagonists—the passions and ideas—are the same, more or less, as of old. We see love, hatred, ambition, jealousy, envy, greed; the sense

* "Little Eyolf: Dramatic Opinions and Essays." By G. Bernard Shaw, Vol. II, pp. 106–107.

† Compare "Modern Social Drama as Influenced by the Novel." By W. L. Courtney, "The Eclectic Magazine," Third Series, Vol. VIII.

of justice and idea of duty; pity, goodness, devotion, piety, selfishness, vanity, pride, etc. But, although the names have remained more or less the same, how great is the difference we find in the aspect and quality, the extent and influence, of these ideal actors! Of all their ancient weapons not one is left them, not one of the marvellous moments of olden days. It is seldom that cries are heard now; bloodshed is rare, and tears not often seen. It is in a small room, round a table, close to the fire, that the joys and sorrows of mankind are decided. We suffer or make others suffer; we love, we die, there in our corner; and it were the strangest chance should a door or a window suddenly, for an instant, fly open beneath the pressure of extraordinary despair or rejoicing."*

The natural corollary to the suburbanization of the drama is the degeneration of the hero. Instead of the hero of the past conquering every foe, we have to-day the hero *manqué,* struggling with fatal futility against the overwhelming pressure of environment, the brand of heredity, the coil of circumstance, the chains of character, the damning verdict of self-mockery and self-contempt. According to the critical canons of the past, the hero must be a person of consideration, of distinction—"an ideal character in an ideal situation," to use the ridiculous phrase. The solution already to hand was to make the hero a person of exalted rank. This was the doctrine of at least two centuries of criticism—the doctrine of Corneille, of D'Aubignac, of Racine, of Voltaire, of Dacier, of Sir Philip Sydney. It is as important as ever that the protagonist should be distinctive, in some way set apart from the common herd, whether through surplus of human feeling, magnanimity of soul, profundity of passion or breadth of social instinct. But to-day the protagonist, in both novel and drama, has stepped down from the pedestal of the colossal; he has now "lost the last gleam from the sunset of the heroes." As Mr. Gilbert Chesterton has pointed out:

"Down to the time of Dickens, we have the first walking gentleman, the young man carrying with him a certain ancestral light and atmosphere of legend. And, about the time of Dickens's later work, that light fades into the light of common day. The first great creation of the new manner in England is the character of Arthur Pendennis. This is the young man lit from head to foot suddenly with the white light of realism, all the red lamps of legend being extinguished around him."†

So also in the drama, the leading male character—it would be profoundly absurd to dignify him with the title of "hero"—is

* "The Modern Drama": The Double Garden, by Maurice Maeterlinck, pp. 122–123.

† "The Young Man in Fiction"; "The Critic," August, 1903.

often little elevated above the level of the commonplace, and in many cases little more or less than a fraud, an impostor, a bounder or a cad. The moral predisposition of the dramatist often makes the protagonist a ridiculous, a pitiable or even a sinister figure, satirizing himself by outraging the conscience of the spectators every time he does his "duty." In a sense, Hamlet is a foreshadowing of the protagonist of ultra-modern drama; and in another generation, perhaps, dissatisfaction with conventional morality, tempered by improvement in ethical standards, will give place to individual moral dignity in the domain of the heroic. Stockmann swings too far away from Helmer, Marchbanks from Morell, Tanner from Ramsden; the contrasts are, psychologically, almost grotesque. Obsessed by polemical intent and reformatory zeal, the modern dramatist, from Ibsen to Shaw, has charged his product with mordant comic and tragic irony. The protagonist has lost his poise in the violence of his reaction; we either see him as a violent reactionary and headlong reformer, or observe him from the modern woman's point of view, catching "glimpse after glimpse of himself from this point of view himself, as all men are beginning to do more or less now, the result, of course, being the most horrible dubiety on his part as to whether he is really a brave and chivalrous gentleman or a humbug and a moral coward."

The hope for the hero of the drama of the future lies in the domain of moral psychology. In speaking of the protagonist of contemporary drama, Mr. W. L. Courtney has said:

"Instead of being a nobleman, or at least distinguished, he has become merely *bourgeois;* instead of knowing that whatever he suffers is accurately proportioned to his guilt, and that he is the victim of true poetic justice, he has become lost in mazes of indiscriminate action, succeeding and failing, he knows not why, subject to the most marvellous coincidences, 'a foiled, circuitous wanderer' in an unreasonable world."*

The modern "hero" is a failure, because he is frustrated on every hand by the savage irony of facts—the insufficiency of his moral code, the mockery of his introspection, the discrepancy between deductions and facts, the evils of contemporary society, the lethargy of civic conscience, the irresistible pressure of the social organism. Perhaps this bankruptcy of masculine heroism

* "Vicissitudes of the Hero in Drama"; "Eclectic Magazine," Third Series, Vol. VIII, p. 208.

may help to explain the fact that the truly heroic rôles in modern drama are played by women. With Mr. Chesterton, we may well look forward to that future work of genius which shall give us "a psychological Hercules," and "show us that there is potentially a rejection for every temptation, a mastery for every mischance, much as there is a parry for every stroke of the sword."

Not only is the hero shorn of his ancient attributes in modern drama; he is actually robbed of all the accessories which once went so far toward creating the illusion. The hero of romance accomplished miracles, performing unheard-of deeds of skill and daring; and he always spoke in the language befitting his station and his achievements. The protagonist of the modern drama is taken alive from the midst of modern life; his actions and his modes of expression are typical of this unromantic and unheroic age in which we live. Indeed, it is not inconceivable that Carlyle and Mommsen understood the ancient hero as typified in Julius Cæsar better than did either Plutarch or Shakespeare. As Mr. Forbes-Robertson asks, "Why should the hero of classical antiquity always be thought of as strutting around with arm extended, indulging in bombastic rant and spouting a lot of blank verse?" The modern drama is marked by that creeping paralysis of external action of which Maurice Maeterlinck speaks; the interpreter of contemporary life has discovered that a motive is as thrilling a dramatic theme as an action; and that passion is as vital in its repression as in its exhibition. The difference between the modern realists and the old epic poets, it has been pointed out, is the whole difference "between an age that fought with dragons and an age that fights with microbes." In this microbe-fighting age the protagonist is profoundly concerned with the importance of the trivial; and his language—often even his thought—barely suffices to elevate him above the mean level of the commonplace. The case for the modern dramatic realist is best put in that remarkable letter of Ibsen to Edmund Gosse, January 15th, 1874:

"You are of the opinion that the drama ought to have been written in verse, and that it would have gained by this. Here I must differ from you. The play is, as you must have observed, conceived in the most realistic style; the illusion I wished to produce was that of reality. I wished to produce the impression on the reader that what he was reading was something that had really happened. If I had employed verse,

I should have counteracted my own intention and prevented the accomplishment of the task I had set myself. The many ordinary, insignificant characters whom I have intentionally introduced into the play would have been indistinct and indistinguishable from one another, if I had allowed them to speak in one and the same rhythmical measure. We are no longer living in the days of Shakespeare. Among sculptors there the representation. My new drama is no tragedy in the ancient acceptation; what I desired to depict were human beings, and therefore I would not let them talk the 'language of the Gods.'"*

In Henrik Ibsen, among contemporary dramatists, the evolutional trend of technical process is most vividly defined. Discarding verse as the inevitable medium of modern thought, Ibsen sought to hammer the prose of our day into a weapon of the finest temper and highest efficiency. No one better than Ibsen himself realized how many innovations had to be made, how many obstacles overcome, how many conventions discarded. Steadily forging towards naturalness, ease, verisimilitude, Ibsen rejected with the utmost firmness approved classic models on the ground that they did not contribute towards the aims he had in view. Indeed, it was inevitable, once realism had gained a firm footing, that many of the artificial conventions of the past should ultimately be rejected by a generation which made naturalness the watchword and slogan of its art.

The drama, it need scarcely be remarked, involves nothing more nor less than a series of tacit agreements between actors and audience. The most objective, the most impersonal, of the arts by reason of its limiting conditions, the drama is, nevertheless, that is already talk of painting statues in the natural colors. I have no desire to see the Venus of Milo painted, but I would rather see the head of a negro executed in black than in white marble. Speaking generally, the style must conform to the degree of ideality which pervades fact, positively ignored; the illusion of reality is precluded by refusal to fall in with this necessarily mutual compact. This tacit conspiracy, if originally carried out in the proper spirit, becomes in course of time a totally unconscious process in the mind of the spectator. The moment one enters a theatre he beform of art which involves the greatest number of implied contracts. There is a tacit agreement between player and spectator comes a willing believer in the artificial operations of a mimic that certain flagrant breaches of veracity are to be winked at—in

* "Letters of Henrik Ibsen," edited by J. N. Laurvik, p. 269.

world, ruled by many laws and governed by many conventions, which do not obtain in the world of actuality. In making a bust of either Booker or George Washington, the sculptor feels free to use either white marble or bronze at his pleasure. The Wagnerian opera is written and composed about a race of beings whose only mode of vocal communication is that of song. Dramas in which all the characters speak in verse are, of course, from the realistic standpoint, manifest absurdities. Realism has its skilfully concealed conventions also; no race of people ever spoke as do the characters of Shaw and Ibsen—brilliant epigram, cogent argument, irrepressible dialectic, on the one hand, or perfection of condensation, appositeness and brevity, on the other.

Conventions which to a former age seemed indispensable to the stage and to the drama impress our generation as mere fashion. In his earlier plays, for example, Ibsen made use of a great many conventions, which his incorruptible sense of veracity led him to reject when he began to depict the life of his own age. Certain of these earlier plays are quite Scribelike in their artificiality; but his very first play in prose, "The League of Youth," although a "well-made piece," *par excellence,* after the Scribe formula, is a decisive step toward greater naturalness. To use Ibsen's own expression, its language gives it "strong, realistic coloring," and the whole play is carried through "without a single monologue—in fact, without a single aside." In this remark, I believe, Ibsen sounded the death-knell of the monologue, the soliloquy, the aside; and by his practice soon rendered ridiculous those dramatists who persisted in employing these devices.

Let us consider for a moment these curious survivals of a more formal, a more artificial, stage of the drama. To-day nothing shocks a sensitive critic—or, indeed, a self-respecting audience—more than to have to endure a play which opens by the descent of two persons to the footlights to carry on an expository conversation beginning, "It is now twenty-five years since, etc." I can still summon the feeling of profound disgust with which, as a boy of eight years of age, I witnessed the opening act of a dramatization of Rider Haggard's "She": two men sitting on a log for half an hour and telling half the story of the novel to put the audience *en rapport* with the situation! Equally unendurable to a modern audience is the device of the soliloquy or the monologue, serving as a sort of first aid to ignorant audiences.

From time immemorial, the soliloquy has been a favorite device of dramatists for putting the audience in close and immediate touch with the matter in hand; and it is a device which was once much relished by the auditor. In his "*Pratique du Théâtre*" the Abbé d'Aubignac confesses "that it is sometimes very pleasant to see a man upon the stage lay open his heart and speak boldly of his most secret thoughts, explain his designs and give a vent to all that his passion suggests." Examples of this means of self-revelation and self-betrayal are notable in the history of the drama: the "To be or not to be" of Hamlet, the self-condemnatory confessions of Iago, Wallenstein's mystic presages of impending disaster, Orgon's grotesque imaging of the deformities of his own soul, Brand's heart-cries of poignant passion. But it must be observed that the soliloquy has been used in the drama for two purposes: either to exhibit the soul-state of an harassed mortal under the stress of tremendous feeling, or else for the reprehensible end of acquainting the audience with certain facts indispensable to their comprehension of the plot. As a matter of fact, people sometimes—and not infrequently—do give audible expression to their thoughts and feelings when they are, or fancy themselves, alone. But the soliloquy of a sane man in actual life is of an exceedingly brief interval of time—a few words or, at most, a few sentences. The soliloquy in its crude form is discarded by the modern dramatist because it is an artificial device, scarcely having the justification of Queen Elizabeth's definition of a lie: "an intellectual means of avoiding a difficulty."

Dramatic craftsmanship has to-day reached a point of such complex excellence that the best dramatists refuse to employ so unworthy a device as the lengthy soliloquy: first, because it is fundamentally untrue to actual life; second, because it seeks to give information which may be more veraciously imparted in more natural ways. As Professor Matthews has pointed out, the soliloquy was more acceptable in the days of the "platform stage, with the characters ever in close contact with the spectators; but it is far less suitable for the playwright who works for the picture stage, whereon the characters are too far removed to be justified in making confidential communications to the audience."* And yet attention should be called to the fact that in the forthright

* "Concerning the Soliloquy," by Brander Matthews; Putnam's Monthly, November, 1906.

dramas of to-day—from the farces of W. S. Gilbert and the comedies of Shaw to the tragi-comedies of Wedekind and the serious dramas of Ibsen—the characters speak out in the presence of their acquaintances with such astounding frankness, such boundless naïveté, that the harboring of secret thoughts seems almost to have disappeared in the economy of contemporary civilization. The soliloquy, save of very brief length and in exceptional cases, is no longer needed—especially by the advanced type of individual who prefers to tell everybody everything!

Allied to the device of the soliloquy is that of the confidant, who for long has been wont to share the secrets of the protagonist. Instead of speaking solely to himself—or to the audience if the illusion be shattered—the protagonist in this case confides his woes to a sympathetic listener. Frequently the confidant not only draws out the protagonist, but also grows quite communicative "off his own bat," thus materially furthering the action of the piece. By means of the confidant, as well as by means of the soliloquy, the audience is informed of many facts needful for a comprehension of the situation. As Sardou has confessed, the dramatist often finds himself controlled by the conditions of the situation which he projects; his only mode of escape is to have part of the plot, certain intervening links in the story, inserted through the intermediaries of confidences and personal confessions. The undisguised confidant, in the crudest form, is banished from the modern stage, because it is a spurious and oftentimes unnatural means of furthering the action of the piece. But it is quite unreasonable to suppose that the confidant, naturally presented, will ever disappear from the stage. The confidential friend is frequently portrayed by the rigorous craftsman, Ibsen—Mrs. Linden in "A Doll's House," Mrs. Elvsted in "Hedda Gabler," Dr. Herdal in "The Master Builder," and so on. Bernard Shaw, who has vigorously protested against "recklessness in the substitution of dead machinery and lay figures for vital action and real characters," employs the confidant, more or less thinly disguised, in several of his plays—Praed in "Mrs. Warren's Profession," McComas in "You Never Can Tell," Cokane in "Widowers' Houses." The rôle of confidential friend is a natural rôle played by almost every one every day of his life. Thousands of men and women in the world are peculiarly fitted by nature to play the part of confidant, and do actually go through

life playing practically nothing else.* The confidential friend will continue to play his part on the stage, so long as he is naturally presented, so long as his presence is integral and vital to the psychological processes of the action.

In notable modern dramas the rôles of *raisonneur,* of ideal spectator, of modernized, individualized Greek chorus, frequently appear. In the plays of Dumas *fils* the *raisonneur* plays a conspicuous part; in Ibsen we find this rôle played by Dr. Relling in "The Wild Duck," for example; in Sudermann's "*Die Ehre,*" Count Trast at times seems little more than an exposition of the author's meaning of the title. In Pinero's "The Second Mrs. Tanqueray," Cayley Drummle is a composite of confidant and individualized Greek chorus; while in Shaw's "John Bull's Other Island," Keegan is the ideal spectator pure and simple. In the majority of Shaw's plays some character seems to stand out as the expositor and interpreter of the author's views. These characteristic examples are cited to illustrate the fact that dramatic art has not yet learned to dispense with some variant form of the ideal spectator, call it by whatsoever name you will. The *raisonneur,* though modern in appearance, in reality is merely a survival of an ancient convention. It appears to be one of those conventions, almost structurally inherent in technical chirography, by which the dramatist meets the audience half-way in the task of interpretation. The *raisonneur* survives to-day, less as replica of contemporary humanity, than as symbol of the dramatist's personal struggle to obviate the extreme objectivity of drama. In an age of persistent propagandism the *raisonneur* typifies the polemical passion of modern thought.

The "stage aside," an even cruder form of technical device than either the soliloquy or the confidant, is now forever relegated to the limbo of threadbare stage properties. It is a sort of petty and bastard form of the soliloquy, serving either the serious purpose of discovering the intent of the character, or the comic purpose of betraying his naïveté or sense of humor. The "stage whisper" is as universal a mark for derision as the mother-in-law joke or the Burgessic "bromide"—and for no other reason than that it is absurdly unnatural, serving merely as a sort of "dead give away"—usually for comic effect. The "stage aside"

* In this connection compare "A Talk on Technique," by William Archer; The Tribune (London), May 18th, 1907.

survives in the musical comedy, the farce, the melodrama and even in light operas such as those of Gilbert and Sullivan. But, like the soliloquy, the "stage aside" is condemned by the modern realist, who makes his characters utter aloud the daring iconoclasms, the mordant ironies, the solemn profundities which they would once have uttered *sotto voce*.

The lengthy soliloquy, the undisguised confidant and the stage aside have virtually been eliminated from the category of legitimate dramatic technique. Ibsen, the greatest technician of all, rejecting theatrical artifices and questionable conventions, achieved the most severely realistic transcripts of life by projecting situations, not as *manipulations*, but as *creations* of character—the inevitable events of an attitude towards life, a point of view, an *état d'âme*. With that peculiar and remarkable retrospective method of his invention, whereby Ibsen causes his plays to turn upon events supposed to have happened before the rise of the curtain, characters are developed in conflict, pitfalls discovered, motives unveiled and soul histories disclosed. And this achievement is effected without the employment of fraudulent devices by which earlier and less expert craftsmen endeavored to unroll the story. As Georg Brandes recently wrote:

"The most esteemed dramatists before him, such as Frederick Hebbel, came to be looked upon as his mere forerunners. The French dramatists, who in his youth were masters in the European theatres, became antiquated in presence of his art. With them there is still an intrigue in an antiquated form. Some one is made to believe something and reacts. Since the artificial intrigue in Ibsen's youthful play, 'Lady Inger,' such plots never more occur with him. From within, the characters are disclosed. A veil is lifted, and we notice the peculiar stamp of the personality. A second veil is lifted, and we learn its past. A third veil is lifted, and we catch a glimpse of its profoundest nature."

The great achievement of the modern dramatist, one might even say his great innovation, has been the identification of the *action* and the *exposition*. Hebbel, that profound student of dramatic art, recognized in the separation of the exposition and the action the principal barrier between art and life. In the works of the greatest modern dramatists the drama is an organic unit. No word is addressed directly to the public—"Peter Pan" to the contrary notwithstanding!—and the actors are definitely cut off from the audience by the insurmountable barrier of the picture-frame stage.

In fine, the drama of to-day, through the influences of modern democracy, of shifting moral values, of the critical rather than the worshipful attitude towards life, of an irresistible thrust towards increased naturalness and greater veracity, has become *bourgeois,* dealing with the world of *tous les jours;* comic, verging upon the tearful, or serious, trenching upon the tragic; unheroic, suburban and almost prosaic, yet vastly interesting by reason of its sincerity and its humanity; essentially critical in tone, proving all things, holding fast that which is good. The contemporary realist rejects the stage tricks which discredit the able craftsman—the lengthy soliloquy, the undisguised confidant, the stage aside; but still finds it unnecessary to dispense with the brief monologue, the confidential friend and the *raisonneur.* The symbolic phrase and the repetitive symbol are new and reputable variants of the mechanical catchword and the farcical "gag." Unity of action, alone of the three unities, is the indispensable unity; and there is no abstract or ideal justice to replace the poetic justice of a more mechanical epoch in art. Action and exposition are identical; and the modern drama concerns itself less with material action than with a minute and exhaustive consideration of the motives which prompt to action. If symbolism upon the one hand tends to cloud the scene, ample elucidative stage descriptions and directions tend vastly to clarify the intent of the author and the *rationale* of the piece. The influence of the picture-frame stage, making for increased objectivity, is offset by the continued recurrence of the personal equation. Rarer and rarer are becoming the "necessarily artificial poems that arise from the impossible marriage of past and present"; and in the future, reconstitution of past epochs, revitalization of historic episodes and characters, promise to be effected solely through the transmutative media of modern philosophy and contemporary thought. The humanizing influences of fraternal sympathy, of social pity and social justice are beginning to replace, in some measure, more personal and selfish interests. "There still remains in the depths of every heart of loyal intention," as Maeterlinck finely says, "a great duty of charity and justice that eclipses all others. And it is perhaps from the struggle of this duty against our egoism and ignorance that the veritable drama of our century shall spring."

ARCHIBALD HENDERSON.

THE RELIGIO-MEDICAL MOVEMENTS.—A REPLY.

BY THE REV. SAMUEL McCOMB, D.D.

In the last issue of this Review, Dr. Allan McLane Hamilton discusses certain developments in the religious and intellectual life of this country, and more especially animadverts on a recent effort to bring into friendly alliance the resources of science and religion with a view to an increase in public well-being. Dr. Hamilton's well-known ability as an alienist and student of morbid mental states gave rise at once to the hope that some large and illuminating word would be spoken, and that his criticism would be marked by instruction and insight. I must confess that I finished the reading of the Doctor's article with a sense of profound disappointment.

To begin with, the tone of the discussion is open to grave criticism. One would expect that the writing of a man claiming to represent science would move in a high and serene atmosphere, far above the jealousies and wranglings of the market-place. One would expect that the argument would be impersonal, concerned strictly with the issues, and would be conducted with due regard to the amenities generally observed among educated men. Alas! this is not what we do find. Instead, contempt, scorn, thinly veiled sneers and bad temper are everywhere in evidence. It is most distressing to a scholar, who, though not a man of science in the narrow and conventional sense of the term, is nevertheless imbued with reverence for scientific method, to observe the incapacity of certain scientifically trained minds for dealing in a calm, dispassionate and judicial manner with any matter touching on religion.

The article seems to have been written without preparation

except such as the perusal of newspapers might afford. It was apparently written without an adequate knowledge of the theological, scientific or social conditions of thought existing in New England. Dr. Hamilton stands before the public as a man of science. Now, the mind that is not merely conventionally and pedantically scientific, but that is penetrated by a genuinely scientific spirit, is able to differentiate between phenomena that present some superficial similarities, to trace each back to its roots, and to estimate each from the standpoint of reality and worth. But what method (it is certainly not scientific) does a writer follow who lumps together, as equally valuable products of culture, the transcendentalism of Emerson, hypnotism, electrobiology, telepathy, spiritism, the influence of mind over body, unconscious cerebration, the dual ego, Christian Science and the Emmanuel Movement? And how are we to regard the conclusions of one who sits down to write about a work which at least has gained the sympathy of many good and serious minds, without taking the trouble to acquaint himself with the explicit statement of principles and methods which the founders of the work have set forth in a well-known book?

In grouping together for comment Christian Science and the Emmanuel Movement, Dr. Hamilton employs a familiar rhetorical artifice, by which a writer pillories together two things, one of which is obnoxious to the public and the other obnoxious to himself, with the result that some share of the ignominy attaching to the first falls upon the second. In reality, the only point of contact between Christian Science and the Emmanuel Movement seems to lie in the fact that they both took rise in New England, and that they are both efforts in very different ways to bring to bear upon people the reality and significance of the spiritual world. In the first place, Christian Science, which I am not here defending or criticising, has openly and clearly broken with academic medicine; the Emmanuel Movement is a movement to dissipate the distrust of academic medicine which, as Professor Münsterberg has remarked in his book, "The Americans," is spreading throughout American society, and to ally the physician and the psychologically trained clergyman in friendly league against certain forms of trouble prevalent in our time, partly physical but mainly psychical and moral in character. In the second place, Christian Science is a distinct cult

or system, with a revelation, a sacred book, a form of worship all its own; the Emmanuel Movement claims to have no new revelation, no sacred book, no worship peculiar to itself, but is simply a modest attempt to realize that religion which Dean Stanley used to call "our common Christianity," and to apply it more powerfully to our life in its various relations, physical economic, social and domestic. Thirdly, Christian Science makes no distinction between the cases with which it undertakes to deal —for the Christian Scientist, living in a world which is itself only a phantom, the terms "functional" and "organic" are meaningless; the Emmanuel Movement, on the other hand, makes a very rigid distinction, and sets aside distinctly organic cases for medical, physiological or surgical treatment, though even in these it recognizes the influence of mental and spiritual processes as at least helpful in character. Finally, the clergymen who are at the head of the Emmanuel Movement do not practise medicine, and would regard such a claim as an unwarrantable impertinence, if not something worse. They are not qualified for such work and therefore do not claim to perform it. As students of religion, however, they hold the key to many motives and primary emotions which exert a distinct influence on the mind and, through the mind, upon the body; and they believe that their knowledge and whatever measure of skill experience may have given them should be placed freely at the disposal of their fellow men. The average physician does not claim to be a teacher of ethics and religion; he does not profess to apply these to the needs of men. But we know to-day that there are many forms of disorder in which character is implicated. Every wise physician is aware that, if only he could reconstruct the character of his patient, if he could give his patient a more satisfactory moral or religious or philosophical outlook, he would set in motion psychical activities which would eventually restore the man to nervous health and equilibrium.

Now, it seems to us that a clergyman, properly trained, might be helpful to the physician in this direction. It is this modest, and not very dreadful, idea which lies at the basis of the Emmanuel work. To put the matter in a single sentence: *The fundamental idea of our effort is that of the co-operation of physician, psychologically trained clergyman and expert social worker, in the alleviation and cure of certain disorders of the*

nervous system that are now generally regarded as involving some weakness or defect of character, or a more or less complete mental dissociation.

It will be admitted that no one profession is able to cover the whole field of human relations, or competent to treat man on all sides of his being, physical, mental, moral, religious and social; and the Emmanuel plan is simply to bring together in friendly alliance specialists in these various departments, that they may the better help the individual to a normal and healthy life. Dr. Hamilton speaks slightingly of persons whom he calls "non-medical tyros," "doctor clerics," "clerical practitioners." I would commend to his attention the following remarks in an essay by Dr. James G. Mumford, a well-known Boston surgeon:*

"All surgeons have witnessed the fear which troubles grievously many courageous persons during a few hours immediately before an operation; and their dread especially of the ether or chloroform. . . . I have in mind the case of a woman upon whom I was to perform a serious and crippling operation. On the evening before her ordeal, her clergyman visited her. He was a man largely and intelligently interested in Religion and Medicine; and, at my request, he visited my patient to help her by suggestive treatment, as well as by the consolations of religion. The commonplace clergyman is a frequent and ineffective visitor under such circumstances; but, in this case, the treatment given was extremely effective; for the clergyman and his methods were not commonplace. The patient sank from an exalted state of terror and anxiety into a confident and tranquil mental condition; and, though she slept little during the night, she took her anesthetic; underwent the operation; and entered upon her convalescence with surprising calmness and success."

If I may be pardoned a personal reference, I may say that I have been asked by hospital authorities to visit sufferers unable to obtain sleep except by the use of powerful opiates or hypnotic drugs, in order to assist these persons to a state of mind conducive to rest. I have never felt that I ought to refuse these invitations as inconsistent with my spiritual functions.

When we come to the pith of Dr. Hamilton's contentions, we find that he professes to give an account of the origin of the Emmanuel idea; to convict its founders of contradicting their cherished principles by failing to recognize the difference between organic and functional diseases; and to give reasons for an out-and-out condemnation of hypnotism as a therapeutic agent.

* "Some End-Results of Surgery," p. 15.

His account of the origin of the work is purely imaginary and has no relation to fact. His charge that the Emmanuel leaders forsake scientific ground in failing to recognize the difference between "functional" and "organic" is based on a misconception, or rather on a careless reading of plain English. His argument about hypnotism, even if sound, is an irrelevance.

To begin with, as to the origin of the Emmanuel Movement: He traces it partly to the failure of the churches to attract adherents, in spite of offering "free baths, free lectures and other recreations," and partly to the "opposition of the powerful sect" of Christian Science. It would be hard to frame a statement more utterly alien to the facts. Emmanuel Church was and still remains one of the most powerful and one of the most active religious societies in New England. There was no need, therefore, for such a church to "look about for a new species of attraction," and to call in the "help of a few Boston physicians of a metaphysical and experimental turn of mind" in order that its lease of life might be renewed. As to the rivalry of Christian Science, Emmanuel Church, so far as I know, never lost one of its members to that communion. When Dr. Hamilton notices the remarkable increase in the membership of the Christian Science Church from 13,534 in June, 1904, to 43,876 in 1907, he does not pause to ask the meaning of such a phenomenon. It does not appear to him to be worth inquiring why such a thing should happen in the midst of an advanced civilization and in the light of the twentieth century. I commend this problem to his study at leisure movements; and I will simply add that, if the churches too often have been formal and unattractive, the science of medicine, in the hands of average physicians, has been not infrequently hidebound, professional and materialistic.

In contrast to the baseless figment of Dr. Hamilton's imagination, I will state in a few words the real genesis of our work. In the year 1905, we sought to contribute to the anti-tuberculosis crusade by a practical effort to solve this problem: How to cure the poorest consumptives in the slums of a great city without removing them from their homes? A Tuberculosis Class was formed under the direction of a distinguished medical authority. The treatment offered consisted of the most recent scientific method of combating consumption, along with the psychic forces of discipline, friendly encouragement, hope and material help—in

short, a combination of physical, psychical and moral elements. This effort has been attended with the most gratifying success, and it is being followed in other places. It is significant that Cornet, in his monumental work on Tuberculosis, remarks that "a bad psychologist will never be a good physician for consumption."* At the International Tuberculosis Congress, held recently in Washington, a first award of a gold medal was given to the authorities in charge of this class; and Professor Osler, speaking of the class, said: "I know of no more encouraging feature in connection with the disease than this practical experiment, which has been carried out so successfully." Now, it was the success attending this work that led us to believe that the physician and the clergyman might be able to work together on behalf of the morally and nervously disordered. Accordingly, the work was begun under a double leadership, medical and clerical, and, as experience ripens our views and ideas, the co-operation between clergyman and physician is becoming more and more intimate. So much for the origin of the movement.

The charge that my colleague, Dr. Worcester, claims, "in a popular periodical for women," to have treated Arterio-Sclerosis, Dementia Præcox, Exophthalmic Goitre, Hemiplegia, Locomotor Ataxia, Manic Depressive Insanity,† Osteo-arthritis, Paranoia, Polio-myelitis, Lateral Sclerosis and Tumor is enough to make one rub one's eyes and wonder whether Dr. Hamilton is not himself suffering from some hallucination. As no patient can reach Dr. Worcester or his associates except with the consent of the physician who has diagnosed the case, it is obvious that, even if this charge were true, the burden of guilt would rest on Dr. Hamilton's professional brethren who lend them their services. But is the charge true? Does Dr. Worcester claim to have cured any of these cases? As a matter of fact, he claims nothing of the sort. What he says is that these, among other types of disease, were "examined *or* treated."‡ Our critic is so carried away with

* "*Ein schlecter Psychologe wird nie ein guter Lungenarzt sein.*"—"*Die Tuberculose,*" p. 931.

† The place of this disorder is doubtful. Some hold that a remission may be caused or at least hastened by psychotherapy.

‡ I quote Dr. Worcester's exact words: "Looking over our recent records, I find that the following cases have been examined or treated during the past year" — then follows a list of troubles, "organic," "functional" and "mixed" cases. See "Ladies' Home Journal," November, 1908.

righteous indignation, with lofty scorn, for our "unpardonable ignorance" that he is unable to discharge the elementary duty of a critic, namely, to read carefully the language which he criticises. May I ask whose ignorance may now fairly be described as "unpardonable"? It is true that many organic cases were submitted to us and examined, but they were all rejected, with the exception of certain cases sent by well-known specialists in the hope of obtaining mental and moral results, which, as a rule, were obtained.

In his long argument against hypnotism, our critic still pursues the futile, if laborious, occupation of vigorously thrashing straw men. It is to be regretted that he continues the unscientific usage of speaking of hypnotism as having therapeutic power. It is, of course, the suggestion offered when the patient is in a hypnotic state that constitutes the curative agency; but let that pass. What I wish to emphasize is that hypnotic suggestion is used in the Emmanuel Clinic only in a very limited group of cases, perhaps not two per cent. of the whole—cases of Alcoholism and other deep-rooted moral perversions which resist all ordinary methods; further, that hypnotic suggestion is administered only by the authority and under the supervision of physicians. Therefore, the argument has little or no bearing upon the subject in hand. Nevertheless, I venture to think that, when Dr. Hamilton quotes Doctors C. K. Mills, Kirchhoff, Regis and de Fursac in condemnation of this suggestive method, it would have tended to a more scientific presentation of the subject had he quoted from expert authorities on the other side. I will therefore endeavor to supply this deficiency.

August Forel, formerly Professor of Psychiatry in the University of Zürich, and admittedly a great authority in mental and nervous diseases, asserts that he, as well as Liébeault, Bernheim, Wetterstrand, van Eeden, de Jong, Moll and other followers of the Nancy School had never seen a single instance in which mental or physical harm had been caused by hypnotic suggestion. No complete record of their cases has been published, but the number certainly exceeds fifty thousand.*

In addition to the competent observers already named, Janet, Sidis, Prince, Bramwell, Krafft-Ebing, Schrenck-Notzing, have

* See "Hypnotism: Its History, Practice and Theory," by J. Milne Bramwell: London, 1906.

used hypnotic suggestion for therapeutic or experimental purposes, and have thereby thrown an immense flood of light on abnormal mental states, which could not have been obtained in any other way. It has cured all sorts of functional disorders; it has healed dissociations of consciousness; it has unified the states of multiple personality; it has eliminated obsessions and fixed ideas; it has broken the force of evil habits so as to give a chance for conscious moral powers to be evoked and strengthened. There is no physical method of treatment, according to the best authorities, that can uproot an obsession, or modify an abnormal sexual perversion, or unify a dissociated personality, or cure functional losses of memory, or reconstitute deteriorated character; whereas all these things have been done by suggestion in hypnosis or by some allied form of suggestion.

Adolf Meyer, formerly Director of the Pathological Institute of New York, recently appointed Professor of Psychiatry in Johns Hopkins University, Baltimore, testifies that many abnormal mental states are mental maladjustments; and he says that, in meeting these maladjustments, psychotherapy is invaluable. He also states that psychotherapy is a regulation of action, and that suggestion is merely a step to that end.*

In face of the contradiction among medical writers on this subject, it would ill become me to decide which is right. Unhappily, Dr. Hamilton's own contribution to the discussion is of little value. He contents himself with repeating the usual popular objections, which can be found answered in any good textbook on the subject. What we really need is a clear, impartial and scientific investigation into the limits of suggestive therapy, with an equally clear and cogent proof of any dangers that may exist and of the method by which these dangers may be minimized or avoided. Meanwhile, it cannot be too often repeated that the Emmanuel effort is quite independent of this therapeutic procedure. Its use is so limited as to be practically negligible.

Dr. Hamilton says, very properly, that suggestion should be administered only by skilled hands. The same is, of course, true of any therapeutic procedure, and it ought to reassure our critic to learn that the fundamental rule of the Emmanuel work is that no patient shall be treated psychotherapeutically except by a psychologically trained physician, or by a psychologically

* See "American Journal of Insanity," July, 1908.

trained clergyman in conjunction with the physician, or by a trained social worker under the direction of physician and clergyman. If any unskilled or uneducated person claims to act in a psychotherapeutic capacity under the ægis of the Emmanuel Movement, his claim is false, and his ignorance or bad faith is not to be set down to the discredit of the men who are trying to conduct this work in a conservative, sensible and scientific way.

When Dr. Hamilton quoted the reply of Dr. James W. Putnam, of Buffalo, to a statement I am alleged to have made about the percentage of persons hypnotized—that "if ninety per cent. of the people can be hypnotized, then I would say that ninety per cent. of the people should never be hypnotized"—he forgot to add that nobody outside a lunatic asylum would ever make the suggestion which Dr. Putnam deprecated.

Dr. Hamilton, at the close of his paper, makes a pathetic plea for the restoration of the old family physician, who "brought children and grandchildren into the world" and who gave them a "painless and happy" exit. It is almost impossible to praise the old family physician too highly; but wherein lay the secret of his success? Was it in his pills and potions, his plasters and boluses; or was it not much more in his kindly, genuinely humane personality, in the relations of friendship which he established with the household? In a word, was it not in the indirect power of suggestion which his very presence brought into the sick-room? And what is this but our old friend, psychotherapy, which Dr. Hamilton regards with such contempt?

It is a depressing reflection that the advocate of a rational faith has to-day a very difficult path to tread. He is exposed to the cross-fires of mutually antagonistic minds. The Christian Scientist accuses him of unbelief and lack of faith when he refuses to tie down the Almighty to any one mode or method of cure; the champion of a pedantic and scholastic science flings at him the charge of superstition and occultism; while in reality what he is trying to do, under whatever limitation and with whatever weakness, is to give to science the things of science and to faith the things of faith. The champion of a rational faith cannot, with Christian Science, commit intellectual suicide and stultify all human knowledge; nor can he, at the bidding of a scientific dogmatism, give up his trust in the spiritual foundations of human

life. He is convinced, for example, of the truth which modern psychology never tires of proclaiming—the unity and interaction of mind and body, the solidarity of brain and thought. Dr. Hamilton does not appear to take this truth seriously, much less does he regard with favor the fact, now established, that in certain cases and in certain environments sound religion is a therapeutic power. No wonder he permits himself to sneer mildly at some words of Professor James. Now, Professor James may be right or wrong; but we may be sure of one thing: that even the blunders and mistakes of such an open, generous and prolific mind are more valuable than the most certain conclusions of the mind pedantic and traditional. *Errare malo cum Platone quam cum Pythagora vera sentire.*

SAMUEL MCCOMB.

NEW BOOKS REVIEWED.

BY OLIVIA HOWARD DUNBAR AND GERHARDT C. MARS.

"THE SHADOW WORLD."*

If there is anything more mysterious than the psychic forces that interpenetrate our life, it is the instinctive determination of the average intelligent human being to ignore them, even, so far as possible, to discredit them. Thus, ignorance of these matters has in itself become a fetish and a superstition; consideration of them a practice involving disrepute. Not only will we ourselves know nothing of occult mysteries,—is the usual unspoken formula; we will suspect anybody who attempts to know. These things being true, the reasons why it is desirable to publish such a book as Mr. Hamlin Garland's "Shadow World" become plain. A simple outline of a vast and loosely understood subject could not be more sanely given. It is true that superficially the book has irritating qualities. The invention of characters and dialogue, exceedingly tame when compared with the essential material, and the attempt thus to string the material on a fictional thread unnecessarily obscure a narrative otherwise lucid. But inasmuch as the book does not ask consideration as literature, its faults, which might be intolerable in a work of fiction, may be passed over. What the "Shadow World" really is is a substantial popular tract. Readers who are themselves investigators, or who are familiar with the authorities from whom Mr. Garland liberally and aptly quotes, have probably no need of a book that does not pretend to offer new discoveries or fresh theories. And the book is emphatically not of a quality to recommend it to the philosopher or the mystic. But the every-day

* "The Shadow World." By Hamlin Garland. New York: Harper & Brothers.

hard-headed obstructionist should profit from the wholesome bewilderment it will afford him.

Mr. Garland, as his book tells us, fearlessly undertook the investigation of the Shadow World in the companionship of a group of men and women and with the assistance of several successive mediums who, it is of course understood, were restrained by "test conditions" rigid enough to exclude the possibility of fraud. The results, startling as many of them are, correspond in a general way to those that are usually obtained in such cases. There appears to be no reason why scores of such books could not have been produced. They have not, however; and that fact gives this volume a peculiar if accidental value. It is a clear-eyed and quite unimaginative piece of reporting, without metaphysical, religious or literary bias, of a series of phenomena that included levitation, telekinesis, trance impersonations and even, in one case, materialization. Happenings so dispassionately observed and certified to, the ghost-denying man cannot merely brush aside as nonsense.

While bound and nailed to their seats by a tangle of torturing devices, Mr. Garland's mediums evoked lusty and muscular (but invisible) phantoms who spoke in loud voices, made jokes and laughed uproariously at them, wrote voluminously on sheets of paper, hurled books and other objects about the room and displayed alert and responsive intelligence. Personal "spirit-messages" were not the object of the sittings and this phase of the subject is touched upon lightly. Nevertheless, the chapter that will probably arouse the keenest popular interest is one falling precisely within this province in that it describes alleged communications from the dead composer, Edward MacDowell, who was a close friend of Mr. Garland. This "spirit," manifesting itself first through slate-writing, later in whispers, strove eagerly to dictate a musical composition, but found both Mr. Garland and the medium unequal to the task of co-operating. At the next sitting, therefore, another friend, Henry B. Fuller, the author, was called in and the score was completed at the "spirit's" energetic dictation. "In all this work," Mr. Garland says, "(MacDowell) carried himself like the creative master. He held to a plane apparently far above the psychic's musical knowledge, and often above that of his amanuensis. He was highly technical throughout in both the composition and the playing, and (Fuller)

followed his will, for the most part, as if the whispers came from (MacDowell) himself."

Every detail of this remarkable experience is well worth reading. Not a feature of it was trivial or incoherent. A spirit could hardly manifest itself in a more dignified and convincing manner. The account of it will perhaps seem, even to many intelligent persons, as an absolute proof of the spiritualistic theory. And yet Mr. Garland declares himself unable to believe that the apparent personality present at these sittings, vocal, even creative as it was, was anything more than a compounding of the psychic, Mr. Fuller, and himself, with perhaps the addition of "fugitive natures afloat in the ether."

Which leads to the theory of these marvels, most of which are, after all, as old as history. And this theory is one that the person who has been panic-stricken lest he should have to accept spiritualism may find some satisfaction in reading about. The spiritistic interpretation of all apparently supernormal phenomena has always been the vulgar one; the interpretation, that is, of children, of savages, of the untutored everywhere. But it has also, after many years of profound study, been that of the most competent investigators in England and America, from the sublimely reasonable Mr. Myers to the rather truculent Dr. Hyslop. However, it is the opposite view that is now maintained by the most eminent European investigators and that is suggested, tentatively and quite without dogmatism, by the author of this book. It seems to him that all the phenomena recorded by himself, as, for that matter, all those recorded anywhere, are covered by the biologic theory, which assumes that no single psychic manifestation originates outside the medium; that the medium has power to project his mental and physical energy (accomplishing telepathy, telekinesis, etc.); that (in explanation of materializations) he has also power to project his own "fluidic double," or, in some cases, an indefinite "ideoplastic" vapor which he is able to mould into any shape by the action of his mind; and that all "controls" and "spirits" are parasitic personalities of the medium or some one present with him. Perhaps it depends upon the individual mind whether these assumptions shall seem more or less vast than those of the spiritistic theory. In any case, it is astonishing that anything can seem more important to us, more engrossing, than the issue between these momentous alternatives.

We are either, many of us, magicians, vehicles of incalculable forces, airy demonstrators of the penetrability of matter, blithe trippers into fourth-dimensional space, mothers of magically born beings who are made of our very substance and who return to remerge themselves into that substance;—we are all this, or we are in practically constant communication with a world of discarnate intelligences. Yet few of us appear to care profoundly what the truth of it may be. Most of us are content to leave the whole matter in the hands of a small society of investigators. It is true that affiliation with the unseen is not the attribute of every temperament; but everybody can learn to accept the fact,—sufficiently established in this single book of Mr. Garland's,—that the human body is the lodging-place of miracles.

What we call "popular science" is peculiarly congenial to the American mind. Would Americans regard psychic matters with greater respect if they should become able to dissociate them from spiritualism, to class them as science rather than as religion? Would the astonishing facts that Mr. Garland has done a genuine service in simply setting forth then come to seem approximately as important as a surgical operation or a machine for multiplying the horrors of war?

OLIVIA HOWARD DUNBAR.

"SCIENCE AND IMMORTALITY."*

ALTHOUGH the belief in immortality rests essentially upon certain broad rational grounds, familiar and open to all, the author of the present volume pleads for the worth of the contributory evidence, offered by scientific investigation, in support of continued personal existence after death. His general position is that set forth in Myers's monumental work on "Human Personality." That is, there lies not only beyond the subliminal activities of any given patient, but also beyond any possible explanation of telepathy, a considerable body of psychic phenomena, carefully sifted by thorough scientific methods, which can be accounted for alone on the supposition of veritable messages from discarnate intelligences.

That such phenomena are meagre, or for the most part trivial,

* "Science and Immortality." By Sir Oliver Lodge, F.R.S. New York: Moffat, Yard & Company.

in no way diminishes their evidential value; but they should be strictly guarded from the abuse of charlatans or of shallow and enthusiastic supporters who always bring any cause they advocate into discredit, and should be restricted to the painstaking investigations of science.

The problem of immortality, however, occupies but one of the four sections that constitute Sir Oliver's richly suggestive volume. His deepest concern seems to be, as a steward of the mysteries of physical science, to help "to prepare the way, in some slight degree, for the Coming of the Kingdom of Heaven on Earth," by showing the consistency of science and faith in general, but more especially the consistency of science and Christianity, the fundamental doctrines of which, "embodying the most vital truths known to mankind, can be interpreted and assimilated by advanced thought." Involved in the accomplishment of this purpose there is a discussion of Corporate Worship and Service in which are found valuable suggestions toward increasing the efficiency of the National Church, by harmonizing its various parts into a closer union, and by adjusting it more completely to modern conditions.

Our author begins by squarely confronting orthodox science, as represented by the average Fellow of the Royal Society, with orthodox faith, as represented by the average Christian theologian. These two present two quite distinct conceptions of the universe. The conception of science is

> "that of a self-contained and self-sufficient universe, with no outlook into or links with anything beyond, uninfluenced by any life or mind except such as is connected with a visible and tangible material body";

while the conception of faith is

> "that of a universe lying open to all manner of spiritual influences, permeated through and through with a Divine Spirit, guided and watched by living minds, acting through the mechanism of law, indeed, but with intelligence and love behind the law; a universe by no means self-sufficient or self-contained, but with sensitive tendrils groping into another supersensitive order of existence, where reign laws hitherto unrecognized by science, but laws as real and as mighty as those by which the natural universe is governed."

The opposition between these two views really turns upon the efficacy of prayer and all it implies of helpful influences from a realm higher than the visible world, and of a continued exist-

ence in that higher world beyond death. We have already seen what Sir Oliver says concerning the possibility of a future life; what is to be said concerning the possible interrelation between the scientific material and the religious spiritual worlds?

The most fundamental teaching of science is found in her doctrine of Natural Law, expressing the Uniformity of Nature, considered either as a static *relation among* things or as an evolving, dynamic *progress of* things. On first view, this would seem to present a system of inescapable necessity which entirely crushes out rational freedom and the ideal values of religion altogether, renders prayer meaningless, and the old friendly interference of supernatural help absurd.

But on further view, it comes to be seen that in reality the essential significance of religion is greatly enhanced by the scientific conception of Law and Uniformity, for it represents the Power back of the universe, upon which religion depends, as immanent in the universe, forever answering prayer and working a perpetual miracle. Only prayer must now no longer be taken as a means to secure the gratification of mere personal whims, but rather as an intelligent striving of the human toward the divine; nor must miracle any longer be taken as an intermittent *infringement of* the natural order, but recognized rather as the wonder of a permanent and uniform *control over* the natural order.

It is the nature of this overlying control or guidance that lifts us above slavish subjection to a mere mechanical necessity into a realm of free intelligence and rational mind. For a system of things which first reveals above its necessary, mechanical interrelations, the intelligent control of life, and then, above life, the creative activities of human thought and will, must have, as its ground, a Divine Reason infinitely above that of man and immanent as a guiding principle throughout the universe.

It is in the light of this rational control that science and religion find a common ground. All is uniformity, law, changeless order, which it is the business of science to investigate and understand; while at the same time the need of religion is supplied in a friendly Power, akin to man, forever working on his behalf.

"Miracles lie all around us; only they are not miraculous [in the old sense of exceptional, arbitrary interference]; special providences

envelop us; only they are not special [in the sense of favoring personal privilege]; and prayer is a means of communication as natural and simple as is speech [in the sense of winning power and mastery by understanding and obedience]."

This transformation, in our thought, of the world, by which it becomes one great system of law and order, pervaded throughout and controlled by immanent Divine Intelligence, necessitates a transformation, in our thought, of Christian doctrine, a transformation which indeed many enlightened theologians desire or seek to effect. With some hesitation and yet under the sense of an obligation to utter the best in him, Sir Oliver undertakes to suggest various changes in our interpretation of Christianity which our scientific view of the world most pressingly demands. Thus, with our larger conception of the miraculous, not as an arbitrary *interference in* the course of nature, but as a pervasive intelligent *control over* the course of nature, the supernormal birth of Jesus or His physical ascent into Heaven have no meaning. The one-sided, human origin of Jesus in no way increases his capacity to reveal God to us, but rather decreases it; for not only does it cast discredit upon the *entirety* of God's immanence in nature, but makes it futile for earth-born men to try to follow, as they are urged, the example of Christ. So far as the Ascension is concerned, its only significance can be that of an advance to higher planes of spiritual consciousness; as an ascent to regions of space above the blue, it can have no meaning whatever to our modern thought.

The doctrines of divine wrath and of sin can no longer be held in the old way. Sin is a reversion to a lower type, and divine wrath may be regarded as expressing the painful result of wrong-doing. The only sense in which the divine wrath can be understood is that in which it displayed itself in the bitter denunciation of Jesus against the presumptuous superiority of self-asserted goodness. In its literal sense, it can have no meaning as God's displeasure with the vast majority of men, struggling along amid the narrow limitations of their ignorance and weakness, and who need pity and help rather than wrath and punishment.

In like manner the deep truth underlying the Atonement must have restatement. We can no longer think of a substituted penalty in terms of the old Roman code. The atonement of

Jesus was not a bloody sacrifice to appease the wrath of a jealous God against sin, but the sacrifice of love, stooping to endure the contradictions of sin, and, thus overcoming them, to show man the way to his own divine self-realization as a son of God.

In view of such considerations, we must form our views of the nature of Christ and his work. Aside from all ecclesiastical and dogmatic accretions, the essential constituents of Christianity are spiritual and practical—the worship of God as a Spirit and the service of man as a brother. But these elements in themselves do not sharply enough distinguish Christianity from other great religious creeds, and we must seek a still more fundamental substratum upon which its detailed words and teachings rest. And this ultimate ground-element of Christianity, Sir Oliver believes, he finds in "the conception of a human God; of a God, not apart from the universe, not outside it and distinct from it, but immanent in it; yet not immanent only, but actually incarnate as revealed in the Incarnation." In a very broad sense, the nature of God is revealed in everything, but most clearly and fully in the highest type of man as seen in Christ. According to the Hegelian phrase, God comes to consciousness in man; and this conception "welds together Christianity and Pantheism, and Paganism and Philosophy." It adds to the humanity of Christ, which is unique only by reason of its spiritual altitude, the divinity of Christ which gives value and meaning to His humanity, and which, however exceptional, is yet within the reach of humanity. "Ye are the sons of God."

Bewildering as this thought may be, it is a truth dimly and partially seen by all the prophets, and doubtless by many of the pagan saints, but more especially is it the revelation of Christ Himself. That God is in Christ reconciling the world unto Himself is the hope of humanity, for it brings God very near to men "in their midst and of their fellowship, sympathizing with their struggles, rejoicing in their successes, and evoking, even in their own poor nature, some dim and broken image of Himself."

The value of Sir Oliver's admirable volume, which has grown out of previous articles in the "Hibbert Journal" and the "Contemporary Review," does not lie in any striking originality of thought, but in the fact of its existence as a rational mediation between science and religion. The attempt to adjust tradition-

alism to any given modern culture is as old as civilization. It is always the attempt to reconcile the rationalism of science, with its subjection to the facts and laws of a necessitated order of things, and the mysticism of religion, with its individual self-determined freedom and its devotion to the higher values of the spiritual life. In our day such a reconciliation seems more nearly possible than ever before. Only a generation ago the prevailing tendency of science was to restrict itself dogmatically to its rationalism, and to shut out, as unworthy of serious consideration or as unproductive of valid results, any claims of mysticism upon which religion rests; while religious men, compelled indeed to admit the advance of scientific doctrine, met the difficulty by exhausting their ingenuity in subjecting the new ideas to their old statements. Science was inclined to claim to know too little; religion, as always, was inclined to claim to know too much.

But to-day, science and religion are, if not altogether friendly, at least on speaking terms, because science, beginning to recognize the inadequacy of mere natural knowledge to satisfy the highest interests of man, is inclined to admit a valid realm of thought and investigation beyond the domain of a strict dogmatic rationalism; while religion, beginning to recognize the inadequacy of the traditionally infallible statements of doctrine, is showing itself, not only willing, but anxious for a restatement of the old doctrines in modern terms.

We have in Sir Oliver a happy combination of both these modern tendencies. Though, strictly speaking, a scientific man, he is at the same time deeply imbued with the spirit of religion. Fully alive to the claims of scientific rationalism, he yet clearly sees its incompetence to cover the entire field of man's rational interests, just because it needs to be supplemented, and, indeed, completed, by those truths of mysticism which form the ground of religion. His general position as a mediator recalls that of Lotze, who, in the hottest of the fight between science and religion, fully appreciated both, by recognizing as the realm of science the *facts* and *laws* of a strictly necessitated mechanical order which, however, have no meaning until subordinated to those *values* which constitute the life of religion.

GERHARDT C. MARS.

WORLD-POLITICS.

LONDON: PARIS: WASHINGTON.

LONDON, *February, 1909.*

BY the time this letter appears in print Parliament will have assembled once more. The session is bound to prove a momentous one. There is a very general feeling that the Government has reached the turning-point in its career and that on the policies and tactics it now adopts will depend very largely its future fate. The situation is not one that lends itself to an easy summary. The cross-currents are many and confusing and the most astute prophets confess themselves unable to see far ahead. Some things, however, seem definite and assured; and one of them is that the Government is losing ground. It has passed many admirable measures during the three years of its existence and its handling of foreign and Imperial affairs has been uniformly successful. But it is now undeniably face to face with the tokens of incipient reaction. Part of the reaction is due to the natural swing of the pendulum and to the lassitude that invariably follows a great burst of reforming energy; part, also, to a suspicion that property is being jeopardized by the radical measures of the Government and by its supposed subservience to the Labor group; part, again, to the unpleasant but unavoidable necessity of finding the money for the free and daring policies of social betterment on which the Ministry has embarked; and part, finally, to the hitherto ineffectual and slightly ridiculous campaign which Mr. Asquith has initiated against the House of Lords.

This last, from the purely Parliamentary standpoint, is the governing factor. The House of Lords has blocked the Government in four different directions. It has rejected its scheme for abolishing plural voting, its Education Bill, its Scottish Land Bill and its Licensing Bill—four open rebuffs that no sophistry can possi-

bly minimize. The Liberals, to do them justice, have made no attempt to minimize them. They have, if anything, rather tended to magnify both their seriousness and their effects. Mr. Asquith two months ago invited his followers to treat the House of Lords question as "the dominant issue." His followers have joyously responded to the appeal. Every Liberal meeting during the past few weeks has re-echoed with denunciations of the Upper Chamber and with dark threats that "a time will come" when its power of veto must be and will be stringently abridged. But the effect of these fulminations is considerably discounted, first, by the momentary popularity of the House of Lords, secondly, by the unpopularity in certain circles of some of the Bills which it threw out, and, thirdly, by the ample record of legislative successes which stands to the Government's credit and for which every Liberal orator is careful to claim on behalf of his party the full measure of popular gratitude and applause. Nine out of ten of the Government's Bills become law with the assent of the House of Lords; and it is extremely difficult for a Liberal who has been "pointing with pride" to the nine successes and assuring his audience that they represent a legislative output of unsurpassed beneficence and practicality, to build up a convincing case against the Lords as an arbitrary, irresponsible and obstructive Chamber on the strength of the single failure. Everything that the Liberals say in their own praise is a left-handed endorsement of the wisdom with which the House of Lords uses its powers. Every measure that they have passed has received the sanction, if not always the approval, of the Upper Chamber which they are now denouncing as an intolerable obstacle to the fruition of the Liberal programme. What, therefore, it amounts to is that the Liberals while claiming, and with absolute justice, that they have done magnificently and that no Government has ever done as well, complain that, but for the Lords, they might have done still better. The country, in my judgment, does not accept a complaint of this nature as sufficient excuse for remodelling the entire Constitution. It is not, however, on that account to be taken as satisfied either with the composition of the Upper Chamber or with its Constitutional prerogatives. It recognizes many anomalies in the first and much unfairness to the Liberals in the second. It does not, however, regard the unfairness as sufficient to justify what would in effect be Single Chamber government.

The more ardent Radicals, however, by no means subscribe to this view of the drift of popular opinion and believe they have everything to gain by forcing the fight against the House of Lords. When the Licensing Bill was rejected they urged the Prime Minister to dissolve at once. They assured him that the Government must either stand up to the Lords or abdicate. They threw at him his own declaration that the Government meant to "stand or fall" by its Licensing Bill. Mr. Asquith, however, was not to be hurried. While not abandoning the campaign against the Lords, while, on the contrary, putting it in the forefront as "the dominant issue," the Government clearly intends to stay in office as long as possible and to dissolve at a moment and on a ground of its own choosing. I am far from saying that this decision is a bad one. But it is clear that it carries with it certain important implications. It practically debars them from introducing measures that every one knows beforehand will be thrown out by the Upper Chamber. Among the latter class of measures is the Bill for disestablishing the Church in Wales. Welshmen, who are overwhelmingly Nonconformist, have long desired this Bill. They have been among the most steadfast supporters of the Liberals because Welsh disestablishment has been a prominent item on the Liberal programme for the last twenty years. The present Government is pledged to it. But what is the use of bringing it forward in a Bill which, after occupying nearly the whole of a session in the House of Commons, is destined to rejection in the House of Lords? To do so would be simply to invite another rebuff from the Upper Chamber—a rebuff that the Government would resent in words but not in deeds, that it would denounce on every platform, but that it would take care not to meet by the counterstroke of a dissolution. On the other hand, not to do so is to put a severe strain on the allegiance of the group, a very important group, of Welsh Liberals. It is to ask them to subordinate the one measure which they particularly care about to the general necessities of the Government's position. And what holds good for the Welshmen holds equally good for the measures of other groups. All of them must be invited to postpone the special reforms in which they are interested in order to avoid a conflict with the Lords. The Government meanwhile is to introduce such measures of social reform as it thinks likely to meet with Lord Lansdowne's

approval, is to devise and carry through two "democratic" Budgets, and then at the end of a couple of years is to take the sense of the electorate on what it has done and on what it has been prevented from doing.

Such seems to be the general intention of the Ministry. It has many obvious disadvantages. It asks an enormous amount of patience and restraint and self-sacrifice on the part of the various sections that compose the Liberal party. It is not a heroic policy; it is scarcely even a fighting policy. It is a confession that the Government is not yet prepared to join decisive issue with the Upper Chamber. It is therefore an encouragement to the Lords to prune, alter and mutilate the Ministerial proposals as they please. Every government, as time goes on, becomes weaker and less energetic. The moral authority of this Government is already on the wane and its tactics seem to imply that the moral authority of its principal opponent shall increase at its expense. These are serious objections; so serious, indeed, that the alternative of a brisk, forcing session with a dissolution immediately after the Budget, and an appeal to the country on the current issues of the Government's record, Free Trade and the House of Lords, is naturally favored in many quarters. The one thing that would be absolutely fatal would be to try to combine both schemes of strategy—that is to say, to put forward highly contentious measures, to see them rejected or emasculated by the House of Lords, and then to go on as though nothing had happened. If that course is adopted, if the country becomes convinced that the Government is afraid to risk a dissolution in order to assert itself against the Upper Chamber, then the next general election may see the disappearance of even this mighty Liberal majority. Personally, I believe that such a catastrophe may be avoided if the Government concentrates on the work of social and financial reform and avoids prematurely challenging the House of Lords. There are three first-class measures to which it stands committed. One of them, the Irish Land Bill, has already been introduced and its provisions lend themselves to compromise. The other two are a Bill remodelling the Poor Law and one reforming the electoral system. Of these the measure dealing with the Poor Law is by far the more important. It is indeed the most important task of social reorganization to which any British Government has

addressed itself in the past thirty years; and if accompanied, as it should be, and I believe will be, by schemes for dealing with the cognate problems of unemployment, housing, town-planning and labor bureaus, will be sufficient in itself to engross the energies of Parliament for another three or four sessions. The Electoral Reform Bill is naturally the last work to which the Government will set its hand, as its passage, by the custom of the Constitution, is followed at once by a dissolution.

Next to the House of Lords the governing consideration is finance. The coming session, indeed, will be mainly occupied with the Budget and everybody is already speculating on the scope and nature of Mr. Lloyd George's proposals. His task is not an enviable one. The Liberals hitherto have not failed to show a surplus and their financial policy has, indeed, been one of their most satisfactory achievements. In the first three years of their administration they have paid off debt to the extent of $230,000,000. At the same time they have halved the sugar tax, repealed the coal duty, halved the increase of the tea duty, reduced the income tax on the smaller earned incomes by threepence on the pound, and lightened the annual burden of taxation by some $37,000,000. This year, however, they have a different and less pleasing tale to tell. Instead of a surplus there will be a realized deficit of some twenty-five or thirty million dollars. The Old Age Pensions scheme has cost already considerably more than the Government anticipated and the yield in all departments of revenue has fallen off. Moreover, it is common ground that the Navy estimates for the coming year must be substantially increased and that various projects of social reform will also necessitate new expenditure. No one can yet say definitely how much the Chancellor of the Exchequer will be obliged to raise by fresh taxation if he means to pay his way; but $75,000,000 does not appear to be an extravagant estimate. The Tariff Reformers view the situation without any very great solicitude. The greater the deficit, they calculate, and the heavier the burden of direct taxation, the more inclined will England be to resort to their panacea of Protection. Mr. Lloyd George, however, is confident that he will be able to frame a Budget that will bring him in all the money he needs without departing from Free-Trade principles.

But difficult as is the position of the Government, that of

the Opposition is more difficult still. It is weak in numbers, weaker in ability, weakest of all in unity. A semi-secret, extremely theatrical body of Tariff Reform stalwarts, calling themselves the Confederates, have during the past few weeks pointed an ultimatum at the heads of the Free Traders who still remain in the Unionist camp, demanding their resignation or their conversion to Mr. Chamberlain's programme; and there is, I think, no doubt whatever that a vigorous effort will be made to drum out of the party all who fail to subscribe to the new gospel. But the resultant unity will be only superficial and will be purchased at the cost of losing some of the most brilliant members of the old Unionist organization. There are many signs that the country is turning against the Government; there are very few that it is turning towards Tariff Reform; and the idea that a fiscal revolution of such magnitude can be carried out by a small chance majority seems to me incredible.

PARIS, *February, 1909.*

IF a man who had not heard anything about the foreign politics of France for two or three years were suddenly informed of their present state he would be pleasantly surprised. First, the Moroccan difficulty is over; and, in spite of what the Opposition papers may say to the contrary, the two years' campaign has yielded material results. It is true that France has no more footing in Morocco than she had when the broil began, and that the Sultan whom she was supposed to defend was ousted by the Sultan whom she nominally opposed. But it is also certain that her moral influence in the Mogreb is measurably superior to what it was three years ago; that such a thing as the Casablanca affair would now be an impossibility; that Moulay Hafid is more reliable than his brother; and that, in the event of another Algeciras conference, the French delegate would be, quite naturally, looked upon as the party chiefly concerned. In the second place, and in consequence of General d'Amade's successful operations, the French Government has been, for the first time since the establishment of the Republic, in a position to say a decided nay to Germany, as it did in the affair of the deserters from the Foreign Legion, and Chancellor von Bülow alluded to that occurrence in his next address to the Reichstag without any of his former sourness. Lastly, the confused, knotty, fearfully dangerous questions raised

by Austria during the last five months may be regarded as settled without any detriment to the relations of France with England, Italy, Turkey or even Germany, and the flagging Franco-Russian alliance has regained in combined action strength which it sadly needed.

On the other hand, many a foreign traveller visiting this country, with his own national difficulties uppermost in his mind, would envy it its apparent tranquillity. There is no racial or language question, as in Austria and Germany; no deep anti-constitutional feeling, as in Russia and even in Germany; no dangerous religious agitation, in spite of the soreness left by the Combes policy; no immediate danger from threatening unemployed, as in England; in short, there is no visibly disturbing element. Business is not flat; the Senatorial elections of January returned an overwhelming majority in favor of the Government; everything seems to be as it should be. It is true that the Royalist leaders of the *Action Française* gain ground every day and make more noise than ever; but it is no less certain that a Monarchist Restoration has not the slightest chance, apart from some catastrophe,—a revolution or a war,—and that M. Maurras's riotous outcry is hardly heard outside the precincts of the Sorbonne.

So would the present conditions of France appear to the native Rip Van Winkle and to the intelligent foreign observer. Yet it would not be long before both noticed, under the superficial tranquillity, a deep and universal disquiet. The atmosphere in this apparently orderly country is charged with anxiety. One feels it the more readily by contrasting it with the buoyancy and optimism of America, or with the self-possessed hopefulness of those wise little communities, Belgium and Switzerland. Between the ebullient, successful France of 1860 or of the early years of the Republic, when the memories of the war began to give way to more cheering reflections, and the France of to-day there is as much difference as between thoughtless youth and brooding old age.

Excepting the Royalists—whose chief hope lies in the childish idea that their nostrum is the only one likely to please a weary nation—nobody looks forward to the future, and most Frenchmen dread it. The expression of this uncomfortable feeling may vary with the social strata where it is found, but everywhere it is the same feeling, and its causes are identical.

In spite of Germany's restraint in the Moroccan affair and of her official good-will in the arrangement of the difficulties in the Near East, the shadowy spectre of war cannot be conjured away. Some refuse to see it, while others will see it close at hand, but everybody speaks of it under his breath.

But the prospect of war would not be such a bugbear in a country which never used to fear war, if other causes did not magnify the danger to be apprehended from it. The fact is that France lacks self-confidence, because she feels herself a prey to influences which individuals cannot counteract, and which the leaders of the country seem more inclined to put up with, or even favor, than to fight. The sore feeling between class and class, the levelling spirit which degraded the noblest French Revolutions into mere riots, is still rife. You see it rampant in the Socialist press and the powerful Socialist organization, and it constantly finds its way into legislation. During the last two months it has been prominent in the debate on the proposed abolition of capital punishment, and in such measures as those passed by Parliament *against* capital generally (in the last articles of the Income Tax Bill), *against* employers (who are deprived of the right of fining their men), and *against* parents (who run the risk of imprisonment if they blame the teaching of a schoolmaster who, in three cases out of five, is a Socialist).

For the prevalence of this spirit the Chamber is more answerable than the Government. No Prime Minister ever stood up against the arrogance and recklessness of the Socialists like M. Clemenceau. I do not think that any of those who charge him with complaisance toward Socialists will do half as much against M. Jaurès and his noisy friends as he has done, to say nothing of his efforts to heal the wounds left behind them by MM. Combes, Pelletan and André. Yet it is a fact that he would have more freedom of action if he had not been obliged to give office to rather shamefaced converts from Socialism, like M. Briand and M. Viviani. Were it not for them he might give decisive battle to the General Confederacy of Labor, and free the country from the most formidable association for evil that has threatened a nation since the Comité de Salut Publique. Meanwhile, he can only parry the blows daily aimed at him from those quarters.

If the presence of M. Clemenceau is not enough to secure

peace and order the existence of the Chamber is an active cause of mistrust and doubt, and the deputies are becoming objects of contempt and hatred.

I have often pointed out that the French Chamber is, thanks to the nonentity of the President and the Senate, the most absolute monarch in Europe. On the other hand, history shows that the French are wonderfully passive and patient, quite as much so as the Russians; and, if the Chamber chose to do its work honestly, the nation would gladly give it credit for its efforts and time for its experiments. Everybody sees that legislating has long ceased to be the easy task it used to be, when it only meant fighting for the Republican constitution (as from 1875 to 1885) or against clericalism (1880-1902). There is hardly a single question at present submitted to Parliament but involves economic consequences and an exceedingly nice discrimination of mutual rights which can, in most cases, be expressed in figures. Whether the debate be about financial or industrial legislation, about military or educational expenditure, the final vote invariably concerns private interests, and sometimes is of such far-reaching consequence that experts themselves are perplexed to ascertain its effects. Every one of the measures forced upon the attention of the Chamber by the Socialists and placed by M. Clemenceau on the Parliamentary programme is of that intricate nature.

The nationalization of the Western Railway—which, according to M. Barthou, the Minister of Public Works, only meant a trifling change in the men's caps—appears to-day to be perfectly unworkable, unless an exchange of lines is made with the neighboring Companies. Meanwhile, the railway remains in its old shocking state, and the yearly revenue loses nineteen million francs. This is the only "reform" which has actually been passed. Those now under consideration are even more difficult. The Old-Age Pensions Bill, though less ambitious than that passed at Westminster, still entails a heavy burden of about three hundred and fifty million francs a year towards which the state, departments, parishes and employers show equal reluctance to contribute. The Income Tax Bill is at present generally called the "Tax Reform Bill," and the gradual substitution of one name for the other has coincided with a gradually increasing appreciation of the difficulty involved in carrying out the transformation

it denotes. To levy a percentage on a man's income is only to do during his lifetime what the collectors do easily enough after his death. But to fix upon the relative liabilities of individuals towards the sum total of the national Budget is a work in which only the test of many years' experience can help, and the beginnings of which are sure to provoke indignant protests. I shall say by and by how the Chamber has managed to get through this impossible business.

Besides these complicated problems there are others which are intelligible to the man in the street but the solution of which is not merely a matter of understanding. Admiral Germinet states —very foolishly, too—that the French arsenals contain available ammunition in such insufficient quantity that three hours' firing would exhaust it. The Admiral is punished; but, his statement proving true and another demonstration of M. Pelletan's incompetency thus coming to light, it becomes urgent to do something for the Navy. M. Picard, the able and conscientious new Minister of Marine, makes calculations, the upshot of which is that two hundred and twenty million francs are necessary, and the Minister of Finance, who wants every penny in the Budget for his experiments in tax-reforming, threatens to resign. Again, specialists say that it has been conclusively proved by the Russo-Japanese war that the four-gun is superior to the six-gun battery, and a modification is inevitable. But, to the amazement of the layman, the four-gun battery is much more expensive than the other, and another item has to be added to the Budget. So, were it not for the occasional relaxation of a debate on capital punishment, the Chamber would constantly find itself confronted with questions involving financial consequences.

How do they approach these questions? The answer to this question will be the explanation of the uncomfortable feeling which I have been describing. Strong adjectives and adverbs are not in good taste, but if I say that the Deputies take their work lightly, it will mean a great deal more than is usually implied in the term, for levity in persons holding responsible positions is tantamount to deception and often to hypocrisy. Now the Deputies take their work exceedingly lightly. One ought not to attach serious weight to certain practical jokes in which they periodically indulge—for instance, the suppression of the *sous-préfets;* but they often dispose of most momentous questions in

exactly the same spirit. They passed the nationalization of the Western Railway with scandalous carelessness and without waiting for documents of paramount importance which the Senate took almost a year to extract from the *bureaux*. The Old-Age Pensions Bill which they have sent up to the Upper House might be the outcome of a debate in a Parliament of boys, so purely academic is it. They have spent more time on the Income Tax Bill in hand than on any of its seven predecessors, but it will take the Senate years to lick it into shape. The tactics employed were, as is usual with this ultra-Conservative Chamber, to give itself democratic airs, admitting of numberless relaxations in favor of the masses and throwing nearly the whole burden on the small fraction of persons possessing large fortunes. Special difficulties—for example, the taxing of professional profits—have been avoided by just "reserving" them, and the danger of frightening capital away is supposed to be met by threats which look very terrible on paper. The reasoning has run in the usual groove: the thing is to frame a bill anyhow, as the Senate will either throw it out or improve it, or the Cabinet will change in the interval and another Bill is sure to come up.

It is by such pretences that the Chamber has generally become objectionable to the country, and is every day losing what little influence it may have possessed as the sole active organism in the Republic. Popular discontent was crystallized by the Deputies raising their own salary to 15,000 francs, and the dullest elector enjoys a song against the "Quinze-Mille" who is supposed to represent him. I have not space enough to explain how an electoral reform which has long been advocated by a few very intelligent men, seldom in agreement about anything else, is likely to be passed, as the Deputy will be less afraid of an enlarged electoral college than of the angry local committee in his constituency. But, reform or no reform, the present Chamber will not succeed in changing a state of opinion which in other times would positively have invited a *coup d'état*.

Of the purely political situation there is little to say. Clemenceau is a martinet, and the Chamber have been twice on the point of overthrowing him. But the reaction, on both occasions, was almost comical. Who, better than Clemenceau, can fight the Socialists or possibly take the responsibility of a decision in international complications?

WASHINGTON, *February, 1909.*

THE second evacuation of Cuba by the United States, carried out in fulfilment of the self-denying ordinance passed by Congress in April, 1898, duly took place on the appointed day, and the island resumed the status of an independent republic. Undoubtedly, from a moral point of view, it was a memorable spectacle, which is destined to live in history. From the view-point of experience and common sense, however, the end of the American occupation was regarded with regret by almost every resident in Cuba who had any property to lose. It is probably a safe calculation that of one hundred thoroughly informed sojourners in the island there are not five who believe that the second experiment in independent government will be long-lived. Scarcely twenty-four hours had elapsed after the departure of the United States troops before a pessimistic forecast seemed to be justified, for a scandalously bad appointment to an important post was made by the new President, General Gomez, an appointment which presently he felt constrained to retract. It is taken for granted that the combination between the followers of Gomez and the followers of Zayas, which was formed at the recent election for the purpose of beating the Conservatives, will not long survive a distribution of the spoils of victory. Soon or late the Zayas faction, strengthened by disappointed members of the Gomez party, is expected to resort to insurrection, in which event may recur the necessity for a new American intervention. The question will then arise, How many times must we interfere for the restoration of order in Cuba, and for the protection of the islanders from the consequences of their own unfitness for self-government in order to make good a promise which, as events have shown, was a piece of sentimental folly? We say folly because few, if any, property-owners in Cuba will now deny that the island would be incomparably better off as a State or Territory in the American Union than it would be if permitted to continue its fitful and abortive essays in political independence.

The omens of fierce political warfare, the tumultuous massing of captains and their shouting which but a short time ago threatened President Roosevelt with quick and dire humiliation have subsided with surprising, not to say laughable, suddenness. Somehow the country has shown itself strangely indifferent to the awful usurpations of authority with which the Chief Magistrate

was charged. Even the accusation of attacks upon the freedom of the press failed to provoke the usual wide-spread outburst of indignation. Senator Tillman, rising to explain some Executive strictures on his conduct, must have recognized, when he took his seat, that President Roosevelt had got rather the best of the encounter. Nobody seems inclined to press the resolutions to investigate the right of the Chief Magistrate to withhold papers demanded by either House of Congress, though the resolutions were introduced with a loud flourish of trumpets. On the whole, though it is probable that Mr. Roosevelt has fewer friends in either chamber than has been possessed by any of his predecessors, with the possible exceptions of John Tyler and Andrew Johnson, he seems justified in the defiant consciousness that he has the people behind him, and that he will leave office with his aureole substantially untarnished.

At the hour when we write the campaign deliberately organized on the Pacific slope for the deliberate purpose of provoking the Japanese to reprisals which might lead to war seems happily to have been checked. In the States of California and Washington the proposed irritating legislation has at least been postponed. The people of that section appear to have been afflicted with megalomania since the visit of our sixteen battleships to the Pacific. They seem serenely oblivious of the fact that Japan could virtually blot their sea-coast cities out of existence before our ironclads could again round Cape Horn and come to their assistance. Truly phenomenal is the cool assurance with which the denizens of San Francisco assume that all our naval resources are to be at the beck and call of a section which in population and wealth represents only an insignificant fraction of the Republic. When one reflects that the Californians would really be at the mercy of the Japanese if a quick movement were undertaken by the latter, one cannot but marvel at the recklessness with which the former proclaim an intention of discriminating against the latter in a most invidious way—a discrimination to which no high-spirited people could be expected to submit. Happily, the inhabitants of California and Washington have at last been induced to listen to reason, and for a while, at all events, the baiting of Japanese is to cease.

Senator Knox of Pennsylvania presumably is a good Constitutional lawyer; at all events, he has been appealed to repeatedly

as such. Had he not been credited with special accomplishments in that direction he would scarcely have been appointed by President McKinley Attorney-General. Then, again, the President-elect has discharged judicial functions, and in the capacity of Judge must be supposed familiar with the provisions of the Constitution. Neither of them, however, seems to have recognized that the appointment of Mr. Knox to be Secretary of State in the Taft Administration would be a violation of the Constitution, which they will both take oaths to subserve. There is no doubt that the Federal Constitution (Article 1, Section 6, Clause 2) declares that "No Senator or Representative shall during the time *for which he was elected* be appointed to any civil office under the authority of the United States which shall have been created, or the emoluments whereof shall have been increased, during such time." Now the term for which Mr. Knox was elected Senator does not expire until March 4th, 1911, and during that term he voted to increase the salary of the Secretary of State, yet Judge Taft has designated him for the office of Secretary of State, and Mr. Knox has signified his willingness to accept the post and discharge its duties from March 4th, 1909. In view of this exhibition of oblivious disregard of a plain provision of the Constitution by a President-elect and a designated Secretary of State, some forgetfulness touching the dictates of the Federal organic law should be excusable in ordinary persons.

What can be done about the matter? A movement is on foot in Congress to repeal that part of the law increasing salaries which applies to the Secretary of State, and to maintain the salary of that post at its previous figure until after March 4th, 1911. Would not such a proceeding, while an evasion of the letter, be a violation of the spirit of the Federal organic law? Suppose Mr. Knox, instead of being a Senator, should be a Representative whose term of office would expire with that of the present Congress. Then the passage of the repealing statute proposed would simply deprive him of the increased salary for a very short time, and assure to him during by far the greater part of his term the increase for which he had voted. Would not the passage of a repealing statute for the benefit of Mr. Knox establish a dangerous precedent? Does Judge Taft wish to begin his administration with an attempt to evade the Constitution? Would it not be better to defer Senator Knox's accession to the

office of Secretary of State until after March 4th, 1911, though even for the two ensuing years it might be charged that he was profiting by an increase of pay for which he had voted? Whether Mr. Knox is or is not a rich man is patently beside the question. A course pronounced legitimate in the case of Mr. Knox would be legitimate also in respect of a man notoriously dependent on his salary for a livelihood.

The President-elect and the civil engineers whom he requested to accompany him to Panama have returned to the United States, and it is agreed upon, apparently, that the plan of a lock canal shall be carried out. It is now admitted that, if even at this time the plan were changed, a sea-level waterway could be constructed for less money than a canal with locks would cost. The die seems to be cast, however, without regard to the possible expenditure, or to the dangers which are alleged to attach to a lock system. All that onlookers, therefore, can do is to remain spectators of a venturesome experiment and hope for the best. After all, if the lock system breaks down we can always revert to the sea-level plan. There would simply have been a good many millions of dollars wasted.

THE EDITOR'S DIARY.

Significant Recommendations of Esperanto.

THE report of Major Paul F. Straub, delegate to the Fourth International Esperanto Congress, at Dresden, on behalf of the War Department and the United States Government, has recently been made public and is of a gratifying warmth. Major Straub gives a description of the routine of the Congress, touches upon the new academy to whose hands are intrusted any changes and adjustments that may prove necessary in the course of the growth of the language and goes on to say:

"The Esperanto language is constructed on such simple and practical lines that one can learn to read it in an incredibly short time. The rules in grammar are few, and as there are absolutely no exceptions, it requires but a few hours' study to master them. Many of the classics have been translated in Esperanto; Esperanto books have been written; newspapers and magazines are published in it, and yet it has not been found necessary to make any essential changes in the original rules formulated by the author, Dr. Zamenhof. . . . By means of a few rules laid down in the grammar, new words can be coined to meet all the requirements of Esperanto, new scientific terms can at once be modified to suit the scheme, and there is absolutely no bar to the further extension of the language.

"I am quite convinced that Esperanto, which has been on trial for twenty years and found to fulfil the conditions required of an international language, is destined to perform an important rôle in international intercourse and will eventually become of great economic value, by facilitating trade relations between various nations. It is so easily learned that any one could be taught in a very short time to conduct a business correspondence therein with foreigners, so many of whom are already familiar with it. I am led to believe that at the present time it has become of great assistance to travellers in remote parts of Europe, and I do not believe it will be very long before it will be possible to find Esperantists in every city in the world. The progress in this country will necessarily be somewhat slower than in most foreign states, as the American is more apt to be satisfied with his own language alone, but, for

reasons above stated, I believe that a knowledge of Esperanto is of sufficient commercial importance to justify our Government in encouraging its spread."

From a military point of view, in Major Straub's opinion, Esperanto could at this time be of the greatest use in the sanitary service, "and," he adds, "I am of the opinion that the Government would be justified in giving it official countenance." He suggests its immediate introduction into the National Red Cross Association as an elective study course. The linguistic difficulties that have been encountered in the various expeditions and wars of recent years, Major Straub urges, have emphasized the necessity of an auxiliary international neutral tongue. Esperanto, it is his belief, meets this need because it is free from the usual objections raised against previous attempts at artificial languages, and he therefore makes the following recommendation:

"In view of the extensive use already made of Esperanto in foreign Red Cross organization, it is recommended that it be brought to the attention of our National Red Cross organization, so that it may be included as an elective study in the course of instruction for Red Cross columns.

"It is also recommended that the Fifth International Congress, which is to meet in Chautauqua in 1909, be given such Governmental encouragement and assistance as may be necessary in order to make it a success, and thereby assist in accomplishing its great purpose, and to enable the committee to make such arrangements as may be necessary to put the Congress on a plane commensurate with the dignity of our great country."

To this recommendation the Surgeon-General of the United States Army, with the endorsements of the Adjutant-General and the Secretary of War, replies:

"Respectfully returned to the Adjutant-General of the Army. The study of Esperanto in the military service should be encouraged, as it is believed that the proposed international language is destined to play an important rôle in international intercourse. It is recommended that the attention of the American National Red Cross Association be called to the subject, and that authority be given to furnish it a copy of this report.

"R. M. O'Reilly, Surgeon-General, U.S. Army."

In view of all these facts we feel that Major Straub is to be congratulated on his perspicacity and the Esperantists upon the interest of Major Straub and the United States Government.

ESPERANTO NOTES.

In the propaganda of every cause slight reactions are bound to mark the course of progress. In that manner new life and stimulus are added to the movement with results generally beneficial. Within the last two or three months we have heard of the "difficulties" of Esperanto. In response to this we take pleasure in printing the experience of Dr. Kenneth W. Millican recently contributed to *The Journal of the American Medical Association:*

"If not too late, I should like to add a little practical experience to the hornet's nest of argument that Dr. W. J. Shee has drawn upon himself by sweeping statements in reference to Esperanto. In the early part of this year there drifted into this office a circular couched in a language not generally familiar. A few seconds' consideration indicated it to be the new international auxiliary language, Esperanto, and it was promptly sent to my desk to struggle with. I knew nothing whatever of Esperanto, and, indeed, entertained very much the same kind of idea that Dr. Shee has expressed as to its being a "hotch-potch" and in every way unworthy of consideration by one with "a smattering of classics and the more generally used modern languages." It was "up to me," however, to decipher the communication, so I promptly went out and bought a book, "First Lessons in Esperanto," costing a few pence, and proceeded to learn the language, using only the time occupied in the car between my office and my residence, going and coming. The grammar was easily mastered, consisting as it does only of certain prefixes, suffixes, and terminations of the parts of speech. It took me, in all, perhaps an hour and a half to commit it to memory. What then remained was to acquire a vocabulary of roots. A little pocket vocabulary, costing a few cents more, placed those also at my disposition. The circular was translated by me within forty-eight hours from the time that I first opened an Esperanto book. Within ten days I was reading aloud in English in the evenings to my household a novel written in Esperanto. Within three weeks I had written in Esperanto a twenty-page article

on the "Professional Secret in the United States," and had mailed it to Dr. Mikolajski, editor of the Esperanto medical journal, "*Voĉo de Kuracistoj*," published in Lwow, Austro-Galicia, receiving in due course notice of its acceptance. I have just heard from the editor that it will appear in the forthcoming issue of that journal. I wish to ask whether there exists any language, ancient or modern, in which within three weeks, using less than an hour a day for study, such a result could have been attained, even by an accomplished philologist? I may add that I have the satisfaction of being in correspondence with physicians of several nationalities by means of Esperanto. I am no despiser of Greek or Latin or the modern tongues. I still amuse myself by turning occasionally to my Horace, my Terence, my Virgil, my Catullus, and others, as well as to my Æschylus, Sophocles, Euripides and Homer; but I can safely say that, with all the years spent at school and at Cambridge over Greek and Latin—and that, with some little love of these languages, which are a delight to me even to this day—I have not one-fourth of the proficiency in either of them that I have managed to acquire in Esperanto in the odd moments of a busy editorial career inside ten months. It is the ease with which any man of moderate intelligence—without any teacher, and using only fragments of his leisure, over a book or two that he can easily carry in his pocket—may master this language, that will bring it speedily to that general acceptance as an auxiliary tongue to each man in addition to his own, to which it is already moving by leaps and bounds."

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INSURANCE SUPERVISION AND NATIONAL IDEALS.*

BY DARWIN P. KINGSLEY, PRESIDENT OF THE NEW YORK LIFE-INSURANCE COMPANY.

WITHIN twenty-five years what may be called the "insurance principle" has come to be a notable factor in the traffic, credits, commerce and family life of this country. Invited by trunk-line railroads, the telegraph, the telephone and the encouragement of a homogeneous people, the tendency of all our activities has been to expand. Insurance has kept pace with the opportunity. It now has, through its various forms, relations with substantially every man, woman and child in the Republic, and has large international relations as well. It operates everywhere under governmental supervision. In this country alone it must obey the behests of forty-six different Legislatures, each of which claims sovereign authority not only over its activities in that particular State, but, in effect, over all its activities throughout the world. A mere statement of the situation prepares the mind for the confusion and injustice which characterize insurance supervision as it exists to-day in the United States.

* The substance of this article was delivered as an address before the University of Missouri, on February 16th, 1909.

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The problem which faces the management of every active insurance company is, How may it profitably, effectively and peacefully serve forty-six masters? The problem is unsolvable. Under the present practice of insurance supervision, there is no remedy. But there is elsewhere a remedy, and, to many people, it seems to be the only remedy, *viz.*, Federal supervision of interstate insurance.

I by no means think that Federal supervision would bring in the millennium, but it would be a long step away from the chaotic and destructive tendencies which have developed under the existing plan. Is Federal supervision possible? In view of the decision of the Supreme Court—made not once, but several times—is there any probability of such relief?*

Relief through an amendment to the Constitution of the United States would be effective, but that is practically unattainable and probably unnecessary.

Is there not a great deal in the history of the nation, in the development of national sentiment and national ideals, since the Constitution was adopted, which suggests not only the probability, but, under an increasing necessity, the certainty that interstate insurance will ultimately come under Federal control? I think, and I shall endeavor to show, that there is.

To one who studies the history of the nation under the Constitution, it is perfectly clear that, but for the wisdom of the great men who interpreted that immortal instrument during the early years of its operation, national development might have taken on a form that would have defeated the purposes of the men who planned it. It is probable that we as a people owe almost as much to Marshall, the great Chief Justice, who gave the Constitution its national meaning, as to the men who drafted it. The doctrine which Marshall laid down, which has now come to be perhaps as fixed in its meaning as the Constitution itself, is substantially this:

"The action of the General Government should be applied to all the external concerns of the nation, and to those internal concerns which affect the States generally; while to the States is reserved the control of those matters which are completely within a particular State, which do not affect other States, and with which it is not necessary to inter-

* Paul *v.* Virginia, 8 Wallace, 168; Hooper *v.* California, 155 U. S., 646; Cravens *v.* New York Life-Ins. Co., 176 U. S., 962.

fere for the purpose of executing some of the general powers of the Government."*

Many of the problems which have arisen since the adoption of the Constitution involve the question of whether it is necessary for the General Government to "interfere" with certain business activities for the purpose of executing some of its general powers. Is it necessary now, is it likely to become increasingly necessary, that the Government should interfere in insurance for the purpose of executing some of its general powers?

In order to consider what the probabilities of Federal supervision are, it will be profitable to review briefly some of the things that have happened in the course of our national development.

The radical difference between government as it existed under the old Confederation and government as it has grown up under our Constitution is this: The Confederation was strictly a union between independent States acting as States; our present government is a union between States in which the Central Government acts directly upon the individual citizen, and not upon the States composing the union.

The difference between the two kinds of government does not at first blush seem to be great, but, as a matter of fact, the two types are almost as far apart as the poles.

The departure involved in the new type was much clearer to our forefathers than it is to us. Under the Confederation they had won independence. They recognized the pressing need of a different and a stronger plan, but about the old plan clustered traditions and the memory of struggles which went back almost to Jamestown and to Plymouth. In order to create the beginnings of a nation, they had to exercise a forbearance, a charity and a wisdom, which are a constant source of wonder to the student of that period. The Constitution they evolved was a series of compromises—compromises between the larger and the smaller States, compromises with slavery, compromises all through. The great principle then adopted, however—which has more and more asserted itself, which has developed the instinct of nationality, which preserved the nation through a fearful war, which has developed it territorially from the Atlantic to the Pacific and across the Pacific—is that the General Government acts for the general welfare, that it acts directly on the

* Gibbons *v.* Ogden, 9 Wheaton, 1.

individual and acts in whatever way may be necessary for it to act for the purpose of executing its general powers.

The people of the several States were passionately devoted to their local sovereignty. The project of a new style of government was commended to them, primarily, by the need of commercial peace between the States and with foreign countries. The situation substantially compelled them to recognize the necessity of a Central Government strong enough to keep the peace and regulate commercial intercourse. The Revolution itself had been largely brought about by commercial considerations. The British Government sought to keep the Colonies in subjection for purposes of favorable trade, and against this the Colonies rebelled. After independence had been won a situation bordering on anarchy quickly arose. Foreign countries were unwilling to enter into treaties with the United States under the articles of Confederation. The Confederation had no control over commerce, and commercial war in a variety of forms soon broke out. This condition, growing out of the feebleness of the Confederated Government, resulted in a deep and general conviction that commerce ought to be regulated by Congress, and found expression in the commerce clause of the Constitution. As to the breadth of the powers contained in this clause, Chief-Justice Marshall said:

> "It is not, therefore, a matter of surprise that the grant should be as extensive as the mischief, and should comprehend all foreign commerce and all commerce among the States."

The departures of the new instrument from the old were so radical that many of the States hesitated about accepting them, and yet, as we can see now and as they came to see, there was nothing else for them to do. It was this or anarchy.

Steadily the national ideal gained ground. Slowly the General Government extended its operations from the external concerns of the nation and from those internal concerns which affect the States generally, to those with which it was necessary for it to interfere, and with which it had the right to interfere through its direct operation on the citizen, for the purpose of executing its general powers.

The burden of the new Government, with its more or less undefined relations to the States, with its powers undeveloped,

soon fell on men who were supposed to be least in sympathy with the national idea. An emergency which put them to the test quickly arose. In the struggle for the possession of the Mississippi, Jefferson proposed, and Congress authorized, the purchase of the Island of Orleans and what was called West Florida. In the end they bought the whole ancient province of Louisiana, a tract of land richer and larger in area than the original thirteen States. Jefferson believed that in signing the treaty of purchase he had "done an act beyond the Constitution." He could find in the Constitution no authority for such a proceeding. His friends believed that in the treaty-making power he had sufficient authority, and Chief-Justice Marshall, in 1828, confirmed that view in an important decision when he said:

> "The Constitution confers absolutely on the Government of the Union the powers of making war and making treaties; consequently, that Government possesses the power of acquiring territory either by conquest or treaty."

With an instinct which foreshadowed the decision of Marshall, the people had approved the act; they recognized that it was clearly in the line of national aspirations, that it tended to insure the peace and the safety of the Republic. This was perhaps the first great instance in which, by interpretation of the Constitution and by acquiescence on the part of the people, a way was found to extend the powers of the Government.

Following the path upon which Jefferson first entered, we purchased Florida, we discovered, explored and settled the Oregon country, we annexed Texas on the petition of its people. We acquired California, Nevada, Arizona, New Mexico and portions of Colorado and Oklahoma. We purchased Alaska. We annexed Hawaii on the petition of its *de facto* government. We took the Philippines, Porto Rico and Guam. And in five of these cases, additions to our territorial domain were made and the highest function of sovereignty was exercised when the Federal Government was under the control of the party popularly known as the party of strict construction.

Twelve amendments were made to the Constitution during the first fifteen years of its existence. During the next sixty-two years none was made. In this era the Constitution was being interpreted. The Executive and the Courts were slowly finding out the powers granted to them either specifically or by implica-

tion, and they found all that was necessary to carry on the National Government. The growth of Federal power during that time was very great, and in that period the citizens of the States transferred to their national citizenship a large part of the love and reverence which they had formerly bestowed upon their State citizenship. The conviction constantly increased that, under the Union and the Constitution, there was, upon the whole, better freedom and greater happiness than could possibly be secured in any other way. The purchase of Louisiana and the second war with Great Britain led the administration irresistibly along the path of a liberal interpretation of the Constitution. They may not have altogether liked it. There was nothing else for them to do. The embargo which they had denounced in 1793, they employed in 1807. The United States Bank, which they had denounced in 1791 and refused to recharter in 1811, was rechartered by an almost unanimous vote in 1816. They followed so closely the lines laid down by the Federalists that Josiah Quincy declared the Republicans had out-Federalized Federalism. But the triumphs of both parties were the triumphs of national ideals.

The supreme event in the development of national ideals came to an issue in 1860. African slavery existed in every State of the Union but one when the Constitution was adopted, and its status under the new Government was one of the compromises of the Constitution. The words "slave" and "slavery" were carefully avoided in wording that instrument, and it was then the general opinion that the institution would gradually die out. The ordinance of 1787, one of the last enactments of the old Confederation, assented to by all the States, had consecrated the Northwest Territory to freedom, but the Louisiana Purchase contained no such provision, and over the settlement and government of that vast region was ultimately waged a conflict which tested the vitality and established the power of the nation. During the years which preceded this conflict, the anti-slavery party pursued its ideal of limiting slavery within a certain area, while the pro-slavery party persistently followed its purpose of protecting slavery in the unorganized territory of the country and in the erection of new slave States whenever the people so desired. Both parties claimed the sanction of the Constitution.

We sometimes lose sight of the great issue of that fearful strug-

gle. We have just celebrated the centenary of the birth of Abraham Lincoln, whose election to the Presidency precipitated the conflict. We have heard much of Lincoln the "Emancipator," and we have been told that the Civil War was fought in order to abolish slavery. Lincoln knew better than this. He realized that the great thing to be done was to preserve the Union and the principles of government and of nationality which it embodied. When he thought that such action would help to save the Union, he issued the Emancipation Proclamation. But it was a war measure, distinctly unauthorized by the Constitution up to the time of the adoption of the Thirteenth Amendment.

Another long struggle which resulted in a great advance in national ideals took place in the field of finance. When the Constitution was adopted, the nation as such had no revenue, no credit. But Alexander Hamilton, the first and greatest Secretary of the Treasury, putting into effect the powers granted by the Constitution, soon wrought what seemed a miraculous change. As Webster said: "He smote the rock of the national resources, and abundant streams of revenue gushed forth. He touched the corpse of public credit, and it sprung upon its feet." One of the means employed was a United States Bank chartered by Congress. The strict constructionists contended that the Government had no authority to charter a bank. Its right to do so was upheld by the Supreme Court on the ground that it was a suitable agency in borrowing money, which the Government had an undoubted right to do. The contest was a long and bitter one, and the strict constructionists refused to recharter the bank in 1811, but were glad to do so in 1816 when the currency had been demoralized by the second war with Great Britain. Prosperity brought some abuses and all the old rancor, and the bank was discontinued in 1836, and an era of wild-cat money followed in certain sections which lasted until the Civil War. Again the banks suspended specie payments, and the Federal Government issued legal-tender notes, established the national banking system and finally taxed State bank issues. The first and last of these acts were opposed as unconstitutional, but they were upheld by the Supreme Court.* Thus what is peculiarly a prerogative of sover-

* McCulloch *v.* Maryland, 4 Wheaton, 316; Legal-Tender Cases, 12 Wallace, 457; 110 U. S., 447; National Bank *v.* United States, 101 U. S., 1.

eignty was transferred from the States to the National Government through a process of interpretation, in response to national needs and through interference which was necessary in order to carry out the general powers of the Government.

Let us consider a little more closely the logic by which this great transformation was accomplished. We may find some comfort therein. Fifty years ago, if any one had said that within ten years we should have only national currency and none issued by State banks, he would have been laughed at. Where would Congress find authority to take this prerogative away from the States? Let us follow the Supreme Court's logic.

The Constitution gives Congress power "to borrow money on the credit of the United States and to coin money, regulate the value thereof, and of foreign coin." The Constitution as a whole makes the United States a sovereign nation. Now, notice the links in the chain of reasoning. Congress has power to borrow money; therefore, it may charter a bank as an aid in borrowing money. A bank so chartered may be taxed by the States only in such a manner as Congress permits. Congress may borrow money, and the United States is a sovereign nation; therefore, it may emit bills of credit and make them legal-tender. Congress has power to borrow money; therefore, it may enact a national banking law authorizing banks thereunder to issue circulating notes based on the security of United States bonds deposited with the Government. Congress may borrow money; having under this power undertaken to supply the country with a stable currency, *it may prevent the circulation as money of any notes not issued under its authority by taxing all other issues out of existence.*

This was going a long way; it was clearly one of the occasions when Congress found it necessary to "interfere," for the purpose of executing its general powers.

The States ceded to Congress under the new Constitution the power to regulate commerce with foreign nations and among the several States and with the Indian tribes, but they found it difficult to take their own medicine. It was not easy to give up this prerogative of sovereignty. Almost immediately the question arose, What is commerce? It was soon decided that commerce was something more than traffic or trade,—it included transportation, transportation of passengers as well as of goods.

When steam came into use as a motive power that became an issue; but it was decided that commerce included all the means as well as the subjects of transportation. When the electric telegraph came into use, it was decided that this was a medium of commercial intercourse. When the telephone came into use, the same reasoning made its use between States interstate commerce. At first Congress was considered as having jurisdiction only over waters affected by the tide, but this authority was soon extended to all navigable waters upon which interstate commerce is carried on, and to bridges over navigable waters separating two States. At the present time the authority of Congress extends to the places, the means and the subjects of trade and commerce.*

We have moved on into what is almost a new world. We are facing new problems. We are facing the further development of national ideals. We cling as tenaciously as our forefathers did to what we call the right of local self-government. What we are now and then asked to give up seems to us much more vital than what they were asked to surrender in the general interest. We have the most extended system of railroad transportation in the world. The use of the telegraph and the telephone has extended throughout the nation. Many important types of business are organized on continental lines. The question, then, is: When we insist on what we call local self-government as against the obvious significance of such facts as these, are we not as short-sighted as our forefathers would have been if they had carried their opposition to the Constitution further than they did? The fact is, we are still entirely devoted to local self-government. But what is local self-government? When a business naturally extends over all the States of the United States, is it local self-government to attempt to regulate it in forty-six different places by forty-six separate sovereign authorities? Under these conditions, is not the local idea plainly encroaching on the national prerogative?

On all these large questions the Government has not acted until it was obliged to. There has been no aggression as against the States. Looking back at these contests—in which the issue

* Gibbons *v.* Ogden, 9 Wheaton, 1; Gloucester Ferry Co. *v.* Pennsylvania, 114 U. S., 196; Moran *v.* City of New Orleans, 112 U. S., 69; Passenger Cases, 7 Howard, 283; Walling *v.* Michigan, 116 U. S., 446; Tel. Co. *v.* Texas, U. S., 460; Pa. Tel. Co., 48 N. J., Eq. 91, 20, Atl. 846, 27 Am. St. Rep., 462.

was frequently doubtful—we see that no other solution was possible, that there was nothing else for the Government to do.

The chaotic condition which existed in the commerce between the States was, as we have seen, one of the things that drove the States toward a "more perfect union." That condition, in a more or less aggravated form, has existed in insurance for eighty years. In 1829, Pennsylvania levied a tax of twenty per cent. on the premiums of other-State companies. This was done under the familiar plea of protecting the business of domestic corporations. There was a similar tax of ten per cent. in New York from 1828 to 1837. In 1851, New York by means of a deposit law drove all other-State companies but two beyond its borders, and when the other States retaliated, the New York State companies withdrew from them. In 1874, California by radical legislation drove twenty-nine companies out of her jurisdiction. Recently nearly all the life companies withdrew from Texas and Wisconsin because of oppressive legislation, and eight withdrew from New York State for the same reason. A Missouri law allows no company to do business within her borders which pays salaries above a certain limit. Many of the States refuse admission to companies of other States unless they in advance agree to surrender the protection of the Federal Courts, and to that extent their rights under the Constitution of the United States. Most of the States have on their statute-books, in their insurance laws, that relic of barbarism, the *lex talionis,* the law which exacts an eye for an eye, a tooth for a tooth. The condition is becoming progressively worse. It is akin to those which existed one hundred and twenty years ago with respect to commerce. It is not unlike those which then existed regarding foreign intercourse, public credit, currency and that comity between States which makes for union and peace. The problems of commerce, of expansion of public credit, of currency were solved by the action of the General Government either through its expressed or its implied powers. There is apparently no other method by which the problem of insurance supervision can be solved.

Insurance is business. It includes the purchase and sale of contract rights which have become an almost indispensable factor in business, in credit and in traffic. It is a business that from its very nature is most secure when widely distributed, and it naturally and inevitably has become an interstate business. It is

a business which from its character requires a reasonable measure of governmental supervision, and at the present time it is more extensively supervised by governments than any other class of business. There is, perhaps, no business in which efficiency and economy are so much promoted by uniformity of legal requirements everywhere; no business that is more easily embarrassed, harassed and rendered inefficient and unprofitable by conflicting laws and conditions.

But the Supreme Court, in the case of Paul *vs.* Virginia, has said that insurance is neither commerce nor an instrumentality of commerce. The transportation of goods and passengers is commerce, and all the means used as instrumentalities thereof are commerce. The sale of goods by sample by drummers is commerce, but the sale of life-insurance policies by agents is not commerce. A telegraphic message relating to a life-insurance policy — or any other kind of business — is commerce, but the policy itself, sent by mail or otherwise, is not commerce. If a company talks to an insurant in a neighboring State over the telephone the talk is commerce, but the subject of the talk is not.

Toward these decisions of the Supreme Court we maintain the attitude that Lincoln assumed toward the Dred Scott decision. He said:

> "It is not resistance, it is not factious, it is not even disrespectful, to treat it as not having yet quite established a settled doctrine for the country. . . . The Court that made it has often overruled its own decisions, and we shall do what we can to have it overrule this. We offer no resistance to it."

While the Supreme Court has several times flatly said that insurance is not commerce, I think it by no means impossible that later on it may take a different view. I am not sure that it has not already done so. The relations of things have changed. And wise courts interpret constitutions in the light of changed conditions and in the interest of all the people.

I have briefly reviewed some of the instances in the history of the country which have resulted in the development of national ideals and the expansion of national power. My purpose has been to show that Congress, under the Constitution and under the wise rulings of the Supreme Court, has always had power sufficient to meet any emergency, and that such emergencies have

always been met in the interest of the whole people. I might rest here and have, I think, a very good case. Having pointed out the inevitable chaos and confusion which have followed the attempt entirely to supervise the business of insurance by forty-six different authorities, having shown the hopelessness of any attempt to secure efficient administration through harmony of action amongst the States, it is a fair deduction that a business involving such large interests, capable of such great usefulness, a business so necessarily interstate in its nature, is entitled somehow, some way, to just supervision and wise control. And as that cannot be had under the present system, relief from the General Government must in time come by force of circumstances and through the logic which has so nobly served the people from the time of John Marshall to the present day.

The force of such conditions has already asserted itself, and unless I misread the mind of the Supreme Court in a leading case relief from an illogical and reactionary condition is already in sight.

In 1902, the Supreme Court of the United States, in its interpretation of the powers of Congress under the commerce clause of the Constitution, went farther than ever it had gone before. The case before the Court was that of Champion *vs.* Ames, and is known as the "Lottery Case."* By this decision the validity of an act of Congress for the suppression of lottery traffic through international and interstate commerce and the postal service was sustained. As I read the entire case, the previous declarations of the Court that insurance is not commerce are therein substantially overruled; and, under the doctrine laid down, it seems reasonably clear that, if Congress should now pass an act providing for Federal supervision and regulation of interstate insurance, the Supreme Court would be bound to sustain it.

Counsel for the lottery company urged that a contract of lottery was substantially the same as a contract of insurance, and that the principle in the two could not be distinguished. The minority of the Court, for whom Chief-Justice Fuller delivered the dissenting opinion, urged the same doctrine, and pointed out that the Court had already decided that insurance contracts are not articles of commerce; that they are not subjects of trade and barter offered in the market as something having an existence and

* Champion *v.* Ames, 188 U. S., 492.

value independent of the parties to them; that they are not commodities to be shipped from one State to another and then put up for sale — the logic of which was that the sale of lottery-tickets, being indistinguishable in principle from the sale of insurance policies, must necessarily fall outside the commerce clause and outside the regulating power of Congress. In effect, therefore, the relation of insurance to the commerce clause of the Constitution was before the Court and was fully discussed. Not only was it discussed in the briefs of the appellant, but it was apparently a part of the oral argument; and the case of Paul *vs.* Virginia was the leading case upon which the minority of the Court based their dissent.

In delivering the majority opinion of the Court in the lottery case, Mr. Justice Harlan, singularly enough, made no reference to the insurance cases. Insurance, as such, was not before the Court, and there was, therefore, no controlling reason why the Court, if it believed that the doctrine laid down in Paul *vs.* Virginia was an error, should so state. If, however, a majority of the Court believed that the sale of lottery-tickets could be distinguished in principle from the sale of insurance policies, it is fair to assume that they would have said so. The argument of the lottery people was: Lottery is like insurance; therefore, it is not commerce. The Court decided, without refuting the argument on that point, that the interstate sale and carriage of lottery-tickets is commerce. In reaching this decision, the Court sought first for a definition of the word "commerce" as used in the Constitution, and, amongst other things, said:

"Undoubtedly the carrying from one State to another by independent carriers of things or commodities that are ordinarily subjects of traffic and which have in themselves a recognized value in money constitutes interstate commerce. But does not commerce among the several States include something more? Does not the carrying from one State to another by independent carriers of lottery-tickets that entitle the holder to the payment of a certain amount of money therein specified also constitute commerce amongst the States?"

After various citations, seeking rather to arrive at a definition of what commerce is, the Court said:

"They [the cases cited] show that commerce among the States embraces navigation, intercourse, communication, traffic, the transit of persons and the transmission of messages by telegraph." (He would now add transmission of messages by telephone.) "They also show that the

power to regulate commerce among the several States is vested in Congress as absolutely as it would be in a single government having in its Constitution the same restrictions of the exercise of the power as are found in the Constitution of the United States."

Then, without specific reference to that case, the Court met the doctrine laid down in Paul *vs.* Virginia in this language:

"It was said in argument that lottery-tickets are not of any real or substantial value in themselves, and therefore are not subjects of commerce. If that were conceded to be the only legal test as to what are to be deemed subjects of commerce that may be regulated by Congress, we cannot accept as accurate the broad statement that such tickets are of no value."

This language is very significant. In logical effect it overrules the doctrine laid down in Paul *vs.* Virginia. It intimates that an interstate transaction may be commerce even if the article transported has no value in itself. But, finding some actual value in a lottery-ticket, the Court brushed all other considerations aside and said: "Lottery-tickets are subjects of traffic, and therefore subjects of commerce."

Every element of value which the Court found in lottery-tickets exists also in insurance policies. The Court found that lottery-tickets had value because of a large capital prize to be paid to the holder of the winning ticket, because of large deposits of money in different banks in the United States insuring the prompt payment of prizes. Lottery-tickets were subjects of traffic because they could be sold, and they had a value even in States which made the drawing of lotteries illegal. The parallel between such conditions and those which attach to insurance is almost perfect.

Whether the Court recognized at the time that the doctrine in Champion *vs.* Ames overrules the doctrine in Paul *vs.* Virginia, must be a matter of opinion until a direct test is made under similar conditions; but it is evident from the text of the two opinions then rendered that there was a vigorous interchange of ideas between the various members of the Court before the opinions were arrived at.

"Could Congress," asked the Chief Justice, "compel a State to admit lottery-matter within it contrary to its own laws?" And the answer of the majority opinion clearly would be, "Yes, Congress could." It would simply be unwise legislation, and by way of rebuttal the majority opinion adds:

"The possible abuse of the power is not an argument against its existence. There is probably no governmental power that may not be exerted to the injury of the public. The remedy is that suggested by Chief-Justice Marshall when he said: 'The wisdom and the discretion of Congress, their anxiety for the people and the influence which their constituents possess at elections are in this, as in many other instances, the sole restraints on which they have to rely to secure them from abuse.'"

Apparently anticipating that some one might misconstrue the effect of the lottery decision, the Court said:

"We decide nothing more in the present case than that lottery-tickets are subjects of traffic among those who choose to sell or buy them; the carriage of such tickets by independent carriers from one State to another is, therefore, interstate commerce."

Insurance, with a hesitancy which is not readily understood, has never made any serious attempt to secure action by Congress. The insurance cases went before the Court supported by no declaration from Congress that the business is commerce,—a situation which itself invited an adverse conclusion. Whenever the question has been raised since then, Paul *vs.* Virginia and the other cases in which opinion has followed the doctrine of that case have been cited, and the matter has been dropped as hopeless. But the lottery case has vastly changed the whole situation. These insurance cases may now be treated as Lincoln treated the Dred Scott decision. They "have not quite established a settled doctrine for the country." The lottery case affords abundant warrant for a request that Congress now act. A law should be drawn on the theory that interstate insurance is commerce, and that the power of Congress to regulate insurance in its interstate relations is absolute. Presented with such an act, the Supreme Court would, we believe, be disposed to accept the declaration by Congress that interstate insurance is commerce and is subject to control by Congress. If a case were to arise under such an act, it is difficult to see how the Court could render any different decision from that in the lottery case. In the lottery case the Court was probably seeking to put an end to a great public evil, to abate a great public scandal. It was obvious that the evil would not and could not be ended by the States, and therefore the power to deal with the situation, which must lie somewhere, was recognized as being in Congress under the commerce clause.

Insurance would present a case in which the law and the Court would be invoked, not to abate or destroy an evil, but to conserve and protect a great public utility. It probably would not go before the Court with the pressure of a wide-spread public demand behind it. It would go before the Court stating, first, that it is commerce; second, that it is in distress and confusion and needs the relief which a single authority alone can give; third, that it is irrationally supervised; fourth, that it is harassed by a multitude of exactions and requirements; fifth, that it is unequally and unjustly taxed; sixth, that its operations are, in practice, almost universally interstate and often international; and, seventh, that the governmental regulations which it now observes have begun to narrow its field of activities, a condition which, carried to its logical conclusion, threatens ultimately to limit the operations of every insurance company to the State of its domicile.

There must be relief somewhere. The problem will not be solved by the States. It cannot be. The solution lies in the commerce clause of the Constitution, and an act of Congress, drawn on the theory I have suggested, would bring insurance before the Court in a proper way. It would be able to present its just claims, and they could be argued from the standpoint of a powerful precedent. So presented, the question would at least be settled and insurance would know finally whether it may go forward or not.

DARWIN P. KINGSLEY.

REGULATION OF THE NATIONAL BUDGET.*

BY GEORGE B. CORTELYOU, EX-SECRETARY OF THE TREASURY.

BETWEEN the receipts and disbursements of the Government—between the revenues and appropriations—there is coming to be a growing difference in the wrong direction. This condition seems to demand not only some effective plan for increasing the revenues, but a thorough system of co-ordination whereby receipts and disbursements may be properly compared and adjusted, one to the other, by an established authority which shall be responsible for the final balance.

At present there is no such authority. Each claim that is made upon Government resources is pressed by its supporters practically without reference to any other. It lies within the sphere of the Treasury Department to call the attention of the Congress to the estimated income and the estimated outgo for the coming year; but no authority exists—except in the veto power of the President—to bring the one within the limits of the other. It is only when the final results are scheduled, and the country realizes the existence of an enormous deficit, that the situation excites attention and becomes the subject of comment sometimes bordering on censure. Such criticism, however, must invariably fail of beneficial results, because of this lack of a supervising authority, which can make adjustment between the demands upon the Treasury and the nation's revenues.

The method which is at present in vogue is the result of frequent temporary adjustments, resorted to under the necessity of meeting imperative wants of the moment, which are more or less of the nature of makeshifts, and as a whole are lacking in har-

* This article was received from Mr. Cortelyou while he was Secretary of the Treasury, but its publication has been unavoidably delayed.—EDITOR N. A. R.

mony, devoid of unity of plan—an expedient which every year becomes less satisfactory and more obviously detrimental. The regulation of the national budget is a necessity which grows in importance with the growth of the country. The conditions which we face demand it. They call for an intelligent, consistent and economical supervision and adjustment of disbursements to current receipts, and the classification of both receipts and disbursements in such a way as to facilitate such an adjustment.

The rule of average is often invoked, and to a limited extent it is reliable. There are lean years and fat years. There are extraordinary demands upon the Treasury and there are unexpected reductions in the revenues, for which changing conditions will eventually compensate; but in the steadily increasing difference referred to, which we are now witnessing, there is nothing to justify faith in the rule of average as a means of relief. The present situation is the result of more than mere exceptional conditions.

The rapid growth of receipts and disbursements since the lowest point after the Civil War, and the recent tendency of disbursements to outstrip receipts, may be seen at a glance by comparing the Treasury reports at intervals of ten years as follows:

	Net Receipts.	Net Disbursements.
1878	$275,446,776	$236,964,327
1888	379,266,075	259,653,959
1898	405,321,335	443,368,582
1908	601,126,118	659,196,319

To put the comparison in another way, which even more graphically illustrates the expansion: the growth in ordinary expenses for carrying on the Government, excluding interest on the public debt, but including payments for pensions and for many public works, was from $135,000,000, in 1878, to $638,000,000, in 1908—an increase of nearly four hundred per cent. in a generation.

It is not in any way intended, nor is it at all necessary, to criticise the details of these expenditures, or to minimize the benefits which have accrued from them to the health, the comfort and the security of our people, in order to emphasize the fact that the distribution of such immense sums, raised by taxation, should be subject to supervision, classification and co-ordination by a responsible authority established for the purpose.

To carry the comparison to the present and into the immediate future there can be no better argument urged in support of this necessity than the present condition of the nation's finances. The deficit for the fiscal year which ended June 30th, 1908, was $60,000,000. It has been estimated that the total revenues of the Government, calculated on the basis of existing law, will fall at least $150,000,000 below the appropriations for 1910, if these appropriations are granted substantially as requested by the departments; while it also seems assured that the revenues for the current fiscal year, ending June 30th, 1909, will be, approximately, $120,000,000 less than the expenditures. Thus the deficiency of next year may entirely wipe out the surplus in the Treasury, and necessitate an increase in taxes or the sale of bonds.

The demands upon the Treasury are not likely to decline. For years the average increase has been hardly less than fifteen per cent. *per annum,* and in all probability this rate will grow greater in the immediate future, as the call is met for larger expenditures, in the extension of various Government activities. These disbursements, however, are not by any means wholly chargeable to the ordinary expense of carrying on the Government. In this respect, the present form of daily Treasury statements is more or less misleading. It makes no separation between the expenditures for the ordinary service of the Government and those for permanent public works, like river and harbor improvements, public buildings and the Panama Canal.

In this matter our budget differs from that of many foreign countries, where expenditures for permanent improvements are provided for by specific issues of bonds, and the amounts are stated in a separate account from the report of expenditures for the ordinary maintenance of Government; while it has been the custom of this Government to make most of its appropriations for permanent improvements from current revenues, thus allowing the entire burden to rest upon the present for improvements which will largely benefit the future. It is this which has brought about the present contingency, when the receipts are falling farther and farther below the expenditures, not for obviously transient causes, which the near future will naturally rectify, but because the growing demands which we meet, in providing for future needs, outstrip the results reasonably to be expected of our present sources of revenue. It behooves us, then, to give thoughtful con-

sideration to the devising of some method of placing a part of the burden upon posterity, which will chiefly benefit by the expenditures, instead of impressing the whole responsibility upon the present.

For the purpose of illustration, stating our budget in the manner suggested, the account for the fiscal year which ended June 30th, 1908, would appear as follows:

Net ordinary receipts	$601,126,118.53
Disbursements	570,477,838.81
Surplus	30,648,279.72
Extraordinary disbursements:	
Panama Canal	38,093,425.29
Public Buildings under Treasury Department	9,341,364.55
Reclamation Service	11,126,042.02
Rivers and Harbors	30,157,649.01
Reduction of Public Debt	34,356,750.00

It may be a question whether all items which involve permanent capital improvement should be placed in this account. It may be proper, in some cases, to charge them to current revenue. But there can be no question that, when bonds are actually sold by the Government to meet the cost of specific public works, like the Panama Canal, such expenditures should be placed in a separate account, or the proceeds of the bonds sold should be accounted for as receipts.

But, whatever changes conditions may make necessary along this line, it will be greatly to the advantage of any system if a supervising power is established, with the authority and responsibility to consider as a whole, and to compare and adjust, the revenues and appropriations. The Secretary of the Treasury is given authority to transmit to the Congress the yearly estimates of revenue and expenditure; but he is not authorized by existing law to reduce these estimates so as to make them conform to the receipts. Neither is any committee of Congress charged with responsibility to compare and co-ordinate the appropriations for the different branches of the public service, in order to distribute equitably such reductions or increases as may be warranted by the condition of the revenue.

There are several independent committees of Congress handling colossal appropriation bills without reference to the committee on appropriations. In itself this may be beneficial and desirable; but with each applicant, public and private, anxious to obtain the largest possible appropriation, with each committee acting with-

out particular reference to general conditions, with no authority for a supervision of the whole, there must result an uneven distribution, with the constant probability of an increasingly large deficit in the end.

It would, perhaps, be competent for Congress to vest in a joint committee the power of revising all appropriation bills, with a view to distributing necessary reductions or available increases according to the relative importance of the objects for which the appropriations are sought. It would certainly seem that some committee should be charged with the direct responsibility of keeping the expenditures of each year approximately within the revenues of the year, or if, in specific cases, this could not be done without crippling branches of the public service, of authorizing the issue of short-term obligations to bridge over the deficit of lean years. By such a committee many needless and wasteful expenditures might be checked, deficits avoided and any surplus diverted to the most necessary and beneficial purposes.

For example: in the matter of public buildings representatives from all over the country are naturally anxious to secure the largest possible appropriations for their districts, letting economy rest with some one else. A great mass of such bills is annually poured in upon the Treasury Department. In many instances, the buildings authorized are found to be unnecessary for the public business and such as could well be postponed for several years at least. But the Secretary of the Treasury has no voice in the matter. Without regard to the prospect of a grave deficit, he is obliged to proceed with the purchase of sites and the construction of the buildings ordered.

This is but an instance suggesting a principle which more or less pervades most appropriation bills; and, whether or not the state of the Treasury demands retrenchment, it could not fail to be of benefit to have some adequate supervising authority. As a simple business proposition, whatever our financial condition may be, there should be an authority to which the people may turn, with power to prepare for unusual contingencies and with the responsibility of avoiding injurious deficits.

GEORGE B. CORTELYOU.

STATUS OF WOMAN SUFFRAGE IN THE UNITED STATES.

BY IDA HUSTED HARPER.

THE United States was the first country to experiment in a democratic government, and it fought seven years with fire and sword to establish the right to individual representation. Now, after more than a century and a quarter, it is farther away from a true republic than Great Britain, from which it extorted this right. Here, one-half of the citizens are barred from the suffrage absolutely by requirements which it is impossible for them to fulfil; there, save for the slightest of property qualifications, all citizens have the complete franchise, except that women cannot vote for Members of Parliament, and in some of the monarchical countries of the Continent they have the Parliamentary vote. The Parliamentary vote undoubtedly will be granted to British women long before the women of the United States have even municipal suffrage.

What are the reasons for the continued inferior political status of women in this country? The most potent of all is found in our form of government, in our Federal Constitution, which vests the right to extend the suffrage wholly in the States. In every other country the women have only to obtain the assent of a majority of the national parliamentary body and they are enfranchised. In the United States, two-thirds of both Houses of Congress must be secured, and then they can do nothing but submit a resolution to amend the National Constitution. When this has been done, the women have over thirty more campaigns ahead of them, as it must be ratified by three-fourths of the State Legislatures. Here, in addition to the ingrained prejudice against woman suffrage, they must encounter also that against amending the Federal Constitution for any purpose.

The only other method by which women can obtain the power to vote is to carry their case directly to the State Legislatures and secure the necessary majority of both Houses—usually two-thirds—for a resolution to submit to the electors an amendment to the State constitution. In many States this resolution has to pass two Legislatures, and as most of them meet biennially it requires four years simply to get the question submitted. If it is passed by the first and rejected by the second, then the entire contest must be made over again. But when the question finally goes to the voters, consider the situation which the women must meet! Not long ago, there were parades in all parts of the country in behalf of certain persons who were to be tried in Idaho. How would the men of this nation who had no interest in the organizations represented, like to place the matter of their own political liberty in the hands of those who made up these processions? And yet every man who marched in them can say whether women shall or shall not have the suffrage, when the question is submitted in the various States. How would the trades-union men like to leave to the capitalists the question whether they should be allowed to exercise the franchise? Yet this is the position of the working-women, and in every city where woman suffrage has been voted on and defeated it has received a heavy opposing majority in the so-called aristocratic wards. How would the white men of the country like to leave it to the negroes whether white men should be permitted to vote, or the natives to let the immigrants decide this for them, or the Catholics to submit it to the Protestants, or the Republicans to the Democrats, or the liquor element to the Prohibitionists — or *vice versa* in all these cases? In brief, would any class of men be willing to let any other class determine as to whether they should have a voice in the Government? Yet this is exactly the condition of all women—their political freedom is absolutely at the mercy of all men, and the men of every class, creed and party are unwilling to give a vote to the women of other classes, creeds and parties.

And in the face of this unparalleled situation people ask why the women of the United States do not make any more progress in getting the suffrage. If such had existed in any of the countries where women now have the vote, it is very doubtful if they would have been enfranchised, for men are much alike in all

parts of the world, and, in the mass, they do not believe in granting equality of rights to women. The conditions in the United States are intolerable, and it is a disgrace to our Federal Constitution that it gives one class of citizens the power to keep another class forever disfranchised, and this, too, by a bare majority vote. This most vital question, which should be decided by a superior, elected representative body, is left to the irresponsible masses, to a conglomerate of every nationality, every color, every degree of vice—intemperance, immorality, ignorance, greed, dishonesty—to such an electorate as exists nowhere else on the face of the earth.

In early days, the movement in the United States was handicapped by the customs and prejudice of the ages and by the inferior position of women in education, business, organization, public work, in every respect. All of these handicaps have been largely removed during the last half-century, but forces antagonistic to woman suffrage have taken their place which are far more dangerous and harder to overcome. The results of the Fifteenth Amendment have not been satisfactory, and there is a determination on the part of many not to add the colored woman's vote to the colored man's. The flood of immigration in recent years threatens to overwhelm the country, and as the laws permit the male immigrant to become a voter almost at once, many thoughtful people feel that it would increase the calamity to extend this privilege to the foreign-born women. All who deal in intoxicating liquors—manufacturers, saloon-keepers and all retailers—are uncompromising foes of woman suffrage, and they and the agencies they control constitute a great political "machine" which by itself is powerful enough to keep the vote out of the hands of women. This has been the chief instrumentality in defeating woman-suffrage amendments in a dozen different States, and killing the question in twice that many Legislatures.

The "party machine" also is bitterly hostile to the enfranchisement of women, and, when it has been unable to prevent the submission of an amendment, has used this as an article of barter and traded on it for votes and money. In the four States where women vote they have defied the "machine" rule, have acted independently of party dictation and proved themselves an uncertain quantity to such an extent that word has been passed to all parties in the neighboring States to keep political power out

of the hands of women. They have acted on this advice so thoroughly that although these four States gave the suffrage to women between 1893 and 1896, no State has done so since that time.

The women are compelled to keep entirely free from political affiliations when conducting a campaign, which prevents their having the united support of any one party; they have no votes to use as a reward or a punishment, and their leaders cannot even pledge the loyalty of the women to any party after they are enfranchised, as they themselves do not know how women will divide politically when they have the ballot. In these days of dicker and deal, when politics is a great game to be won by the most skilful players, the disadvantage of women is colossal when they carry their cause into the arena. It is not only to no party's advantage to champion this cause, but none which has any hope of success dares to incur the hostility of the enemies to it. The forces of evil are all opposed to woman suffrage, and the forces for good are not, as a rule, a very potent factor on election day.

In recent years, the women have met an opponent that has caused them more alarm than all the others combined—the large "trusts" or corporations. Their first open appearance was in the New Hampshire campaign of 1903, when a rich and powerful railroad made a determined effort to prevent the convention which was framing a new State constitution from incorporating a clause providing for woman suffrage. Its attorneys were sent to the convention instructed to fight the measure, but the clause finally was adopted, and then the railroad, which is all-powerful in New Hampshire politics, took care that it was rejected by the voters. In this it was seconded by the various manufacturers of Manchester and other cities. To the women's amazed inquiries as to why the corporations should object to their enfranchisement, they were coolly informed by party leaders that this would increase the number of voters who must be bought at every election and throw into confusion the present well-systematized calculations. Lists were shown to them of the purchasable voters in every precinct throughout the State with the price which had to be paid, and they were calmly told that the corporations did not propose to have the voting lists doubled; that, besides the additional expense, it would take some time to learn how many of the new votes were for sale and the price; also that there was no telling what women might do if they got into the Legislature,

while now the possibilities of the male legislators were accurately gauged. There was a movement in New Hampshire at this time to repeal the prohibition law, and its promoters knew that this could not be done if women had a vote, so they joined the opposing forces with their money and influence. No measure could have been carried with this combination against it.

This experience was repeated on a much larger scale in Oregon in 1906. The officials of the Lewis and Clarke Exposition had sent one of the commissioners to Washington to invite the National Woman Suffrage Association to hold its next cenvention in Portland, with a view to opening a campaign in the State, as it was declared to be now ready to enfranchise its women. During this convention, in 1905, the Governor of the State, the Mayor of Portland, the president of the school board and a number of judges, clergymen and politicians appeared on the platform and pledged their support. The National and State Suffrage Associations made the strongest possible campaign, the next year, with excellent speakers, good literature and many able workers. A large majority of the newspapers favored the amendment, only seven out of 238 opposing. The State Federation of Labor, the State Grange, the Federated Trades Council of Portland, the Socialist party, the National Letter Carriers' Convention in Portland, the State Woman's Christian Temperance Union, the State Federation of Clubs, the Women's Union Label League, the Women's Pioneer Association, the Women's Medical Association and many other organizations officially endorsed the amendment. Both candidates for Governor and three-fourths of the other candidates declared themselves in favor.

At the beginning there seemed not a doubt of success, but in a short time an opposing combination was formed which could have defeated any measure placed before the voters, a combination of a prominent railroad company and other large corporations, the Brewers' and Wholesale Liquor Dealers' Association and the "machines" of both parties. The reason for the opposition of the "trusts" was the same as in New Hampshire, and, in addition, various manufacturers did not want women to have a vote on certain factory and child-labor laws that were threatened. A published statement declaring that "it would be injurious to the general welfare and development of Oregon to adopt woman suffrage," was signed by 190 corporations and business men more

or less connected with them. Sixteen of these corporations represented the interests of one family, and the women of this family headed the little group of rich women, said to be eighteen in all, who composed the Anti-Suffrage Association. Shortly before election, the Railroad Company bought $2,000 worth of stamps at the Portland post-office and soon afterwards each of the 100,000 voters received a letter urging him to vote against the suffrage amendment.

Through the initiative and referendum, Oregon had secured a drastic local-option law. Its tenure was still uncertain, but the liquor-sellers realized that if women gained the right to vote it would become permanent and effective. They had already obtained the submission of an amendment which would partly nullify it, and two weeks before the election, the Brewers' and Wholesale Liquor Dealers' Association issued the following official circular headed by the names of 13 breweries and 19 wholesale liquor houses:

"DEAR SIR:—Two laws are to be voted on at the election June 4, which are of vital importance to every liquor merchant in Oregon, without exception.

"The first is Woman Suffrage.

"The second is the amendment to the Local Option law. . . .

"Being few in number, the members of this association cannot by themselves pass the Local Option amendment or defeat Woman Suffrage.

"That part of the work is up to the retailers. We write this letter to earnestly ask you to help.

"It will take 50,000 votes to defeat Woman Suffrage. It will take 50,000 votes to pass the amendment to the Local Option law. There are 2,000 retailers in Oregon.

"That means that every retailer must himself bring in 25 votes on election day.

"Every retailer can get 25 votes. Besides his employees, he has his grocer, his butcher, his landlord, his laundry-man and every person he does business with. If every man in the business will do this, we will win.

"We enclose 25 ballot tickets, showing how these two laws will appear on the ballot and how to vote.

"We also enclose a postal card addressed to this association. If you will personally take 25 friendly voters to the polls on election day, and give each one a ticket showing how to vote, please mail the postal card back to us at once. You need not sign the card. Every card has a number and we will know who sent it in."

After it was over, the liquor-dealers said openly that they had

spent $250,000 on the election, and it was generally understood that the corporations had contributed as much, and yet less than 84,000 votes were cast on the suffrage amendment. The Republican "machine" of Multnomah County (Portland) made a "deal" with the liquor interests to kill it in return for a large money contribution and votes for its candidate for sheriff; the Democratic "machine" made a similar "deal" for the rest of the State, trading votes against woman suffrage and getting in return the liquor vote for its candidate for Governor. These statements are well supported by proof, and sheriff and Governor were elected, while the amendment was declared lost.

In the California campaign of 1896, the same conditions had prevailed. The most scurrilous editorials in opposition which appeared were those published by the organ of the Southern Pacific Railroad. The Wholesale Liquor Dealers' League sent out an official circular to every saloon-keeper, grocer and druggist in the State saying: "It is to your interest and ours to vote against the woman-suffrage amendment. We urge you to work and vote against it and do all you can to defeat it." Although an endorsement of the amendment was the first plank in the State Republican platform, the "machine" boldly traded it to the liquor-dealers for a fund to elect McKinley, and broke faith with the women at every turn. A similar record will be found in every State where a woman-suffrage amendment has been voted on.

This situation, of which only the barest outline has been given, certainly offers sufficient reason why the concrete gains of woman suffrage have been so few. But little fear was felt by its enemies until four States declared for it within four years, but since then the opposition has organized and become more formidable every year, concentrating its forces wherever the question is pending. The efforts which it was obliged to put forth to control the little handful of voters in Oregon are full of significance. It bought space in the newspapers at ten cents a line; it employed lawyers and managers; it hired 500 men to work against the amendment at the polls outside of Portland and over 200 in that city; it rounded up the Indians and the 500 Chinamen entitled to vote —and yet it is the common belief in Oregon that the amendment was carried in spite of it all. The evidence that it was counted out was most convincing, but because of the great expense in-

volved a recount was impossible. The amendment was carried in Southern California in 1896 by a large majority, but was defeated solely by the vote of San Francisco and Oakland.

With a fair election and an honest count, a woman-suffrage amendment probably could be carried in a number of States, but under present conditions these seem to be impossible. For the salvation of the country, however, these conditions will have to change. The political power of corporations is already receiving official investigation, and that of the liquor element, with its allied interests of gambling and prostitution, is now widely recognized as a public menace. Those who work for municipal improvement are beginning to understand that no reform Government can be permanent while the greatest moral forces of society are deprived of the suffrage by means of which to sustain it. Clergymen are realizing the uselessness of appeals for civic righteousness to disfranchised congregations.

The immense growth of favorable sentiment for woman suffrage is seen in many leading magazines and newspapers, in the utterances of prominent men and in the absence of all serious argument against it. The attitude of the labor organizations offers much encouragement; their conventions repeatedly declare in favor of woman suffrage, and it is not improbable that eventually the working-men will win this battle for the sake of nearly 5,000,000 women breadwinners. Last year, several hundred international and national associations and a great number of State associations, representing as many different lines of activity, adopted resolutions for woman suffrage. Only two States—Massachusetts and New York—have permanent Anti-Suffrage Societies, and they never have held a convention or mass-meeting. The National Suffrage Association is a large, strong, thoroughly organized body with a complete system of State, county and local auxiliaries. Over three-fourths of the States are thus organized and a large number of these showed a substantial increase of membership last year. Greater New York has one, possibly two, Anti-Suffrage Societies, which hold parlor meetings once a year; it has over twenty Suffrage Clubs holding weekly or bi-weekly meetings. The National Suffrage Convention held in Buffalo was the largest and most enthusiastic in the forty years' history of the Association.

The National Association has spacious headquarters; publishes

a monthly paper and series of leaflets with a large paid subscription list; has a press bureau that weekly supplies matter to thousands of newspapers, and an office force that sends out other literature in answer to requests at an average of nearly 700 pieces a day. It is said that "money talks." In 1906 its receipts were over $18,000; in 1907, notwithstanding the financial depression, they were $15,000. A short time before the death of Miss Anthony, while visiting President M. Carey Thomas, of Bryn Mawr College, and Miss Mary E. Garrett, of Baltimore, she expressed the wish that an additional fund might be raised for suffrage work, and these two ladies undertook the task of securing $60,000 to be paid at the rate of $12,000 a year. They organized a committee, opened the subscription list in February, and before the first of May the full amount had been obtained, practically all of it subscribed by women. This amount is exclusive of the funds raised by the National Association.

Once a year, the Anti-Suffragists issue a little paper called "The Remonstrance," in which they enumerate the defeats the movement has received as proof that it has made no progress, but they are careful not to show the narrow margin of these defeats. Last year, the women of Chicago tried to get a suffrage clause in the proposed new charter; the commission divided evenly on it, 27 to 27, and the chairman gave the casting vote against it. A woman-suffrage bill in the Illinois Senate received a tie vote. In the Iowa Senate a change of three votes would have given the necessary majority. Both Houses of the California Legislature gave a majority for the bill, but it lacked two votes of the required two-thirds. It was carried in the Nebraska Senate, but was defeated in the House, and met the same fate in South Dakota. In the Indiana Senate it was lost by two votes. It passed in the West Virginia House and then two members changed their votes. The Pennsylvania House voted 90 to 63 in favor of School Suffrage, but a two-thirds majority was necessary. It must be remembered that in all of these cases the women were asking only to have their question submitted to the voters, and this privilege the legislators refused them. The reason for it was frankly given by one in California, who said, when asked why he voted against the bill: "It is much easier to defeat you here than it would be if you got your amendment before the people." Surely it is poor logic to quote these legislative

defeats as proving the weakness of the woman-suffrage movement.

In Vermont, the bill for Municipal Suffrage, which can be conferred simply by legislative action, was carried in the House by 130 to 25, but was defeated in the Senate by five votes. In Rhode Island, a bill for Presidential Suffrage, which also can be given by the Legislature, passed the Senate and had enough votes pledged in the House to carry it, but its opponents succeeded in having it held up in committee.

For a number of years the arguments and objections to woman suffrage have been narrowed down to one hackneyed phrase—"The women do not want it"; but this soon will be as obsolete as all the others, for a revolution of sentiment is fast taking place among women. To-day there are thousands in favor of it where a few years ago there were tens. The National Council of Women, which at its beginning tabooed this question, at its last convention declared for it unanimously. The Federation of Women's Clubs, which at first refused even membership to suffrage societies, elected as its last president for two terms one who was a leader in securing the franchise for the women of Colorado, and has just elected a new president who is a suffragist. The New York State Federation invited the Rev. Anna Howard Shaw, president of the National Suffrage Association, and Mrs. Carrie Chapman Catt, president of the International Suffrage Alliance, to give addresses of an hour each at its annual conventions of 1907 and 1908, and it has a standing committee on this subject. In several States the Federation is working vigorously for School Suffrage, and that of Illinois, with 30,000 members, was very active in the recent effort before the Chicago Charter Convention. The Industrial Committee of the General Federation, Miss Jane Addams, chairman, in its report "urged the General and State Federations and women's affiliated clubs to endorse the principle of equal suffrage and take such action as should give to working-women the needed protection of the ballot." The 250,000 members of the Woman's Christian Temperance Union are almost a unit in demanding the vote, as are the 150,000 Ladies of the Maccabees. The petition to have woman suffrage included in the new charter for Chicago was 75 yards long and the movement was supported by 87 organizations of Illinois women, including the Mothers' Congress, the League of Catholic Women, the Jew-

ish Women's Council, the Lutheran Woman's League, the Teachers' Federation, the Women's Trade Union League, the Women of Chicago University and the college settlements. Fifty women, representing these organizations, appeared before the Charter Commission to advocate the suffrage, and one woman spoke against it, saying that she did so only in her individual capacity.

Millions of women in the United States, through their organizations, are now asking for the franchise, and the number is rapidly increasing as women are awakening to the reason why they are at such a disadvantage in all that they undertake for others or for themselves. The struggle of the public school-teachers of New York City to secure "equal pay for equal work" is a case in point. Blind, indeed, are those who cannot see that if these teachers had a vote in the election of public officials this struggle would be unnecessary. So all women who are working side by side with men for half the pay will finally understand that the glib phrase, "supply and demand," is only a ruse to conceal the real cause; and the army of women who are trying to move the world to better things will learn in time that they must rest their lever on something besides air.

It is not likely that the majority of the 16,000,000 women in the United States realize the value of the suffrage sufficiently to want it—it would be absurd to expect this—but the leaders among them do want it and are working for it. Almost without exception, the presidents of all their organizations—those who are at the head of the world's work in education, philanthropy, social reforms, civic improvement—are demanding a voice in the Government, and their following grows vastly larger year by year. With this force the Government must finally reckon. Taken as a whole it represents peace, sobriety, virtue, economy, conservatism, devotion to the interests of home and children—characteristics of highest value in the citizenship of a nation, which for its own preservation it must eventually admit to its electorate.

IDA HUSTED HARPER.

MR. TAFT AND THE SHERMAN ACT.

BY THOMAS THACHER.

In his speech before the Ohio Society, on December 16th, 1908, Mr. Taft announced his assent substantially to the following propositions: (1) The Sherman Act, the anti-trust act of 1890, should be amended; (2) it should not apply to railroads and other agencies of transportation, the regulation of which should be left to the Interstate Commerce Act and its amendments and supplements; (3) it should not make illegal every combination of capital and energies previously in competition in interstate or foreign trade or commerce; (4) the amendment should be effected, not by the use of the word "reasonable" or "unreasonable," or any other words of uncertain meaning, the work of giving a definite meaning being passed over to the Courts, but by the use of language so simple and clear as to enable business men to know from the reading of it what it forbids.*

And these two other propositions are implied in what he said: (5) A definite understanding of the evil or evils to be cured should precede the enactment of remedies; and (6) no remedy should be enacted which would do more harm than good.

All this is sane and sound—so obviously so that it seems strange at first thought that it should need to be authoritatively stated, or that the statement should give special satisfaction. But nothing is more often needed than the clear assertion of propositions which, when stated, are necessarily accepted, or of principles which may be forgotten, but which cannot be questioned.

(1) As to the first proposition, that the Act should be amended, there seems to be no difference of opinion. Even the labor-leaders and the Standard Oil Company are in accord upon it. All who think agree that there is something wrong with this law.

* I do not pretend to quote Mr. Taft *verbatim*, but state the substance of what he said as I understood him.

(2) Very few persons of intelligence will dissent from the second proposition, calling for the exclusion of railroads, although the most noted victories of the Government in enforcing this law have been in cases to which it would not have been applied if railroads had been originally excluded from the field of its operation. I refer, of course, to the Trans-Missouri case, the Joint Traffic case and the Northern Securities case. The arguments and opinions in the first two of these cases, while they failed to convince the Supreme Court that the Act did not apply to railroads, are enough to satisfy the intelligent reader that it ought not to have been made to do so. The situation of railroads is peculiar and there are peculiar reasons for regulating their business. Only confusion can result from attempting to deal in the same Act with railroad companies and those whose business is industrial and commercial. The Interstate Commerce Act and its supplements provide a scheme of regulation of transportation, and whatever changes should be made in such regulation may best be made by amending or supplementing these acts.

(3) The third proposition might be put in this form: The Act should be so changed as to deprive it of the meaning and effect declared in the Tobacco case.* In that case, and in two other cases decided about the same time, the judges of the Circuit Court of Appeals of the New York Circuit declared that every combination by which competition is ended or suspended between two or more persons or corporations engaged in interstate or foreign trade or commerce is illegal under this Act. It matters not whether it is a combination of two or more stage-drivers, butchers, bakers or candlestick-makers, or of two or more carpenters, bricklayers or other workmen, or of two or more corporations of the magnitude of the United States Steel Company. It matters not whether the combination is effected by forming a corporation or a partnership, or by one person, natural or artificial, buying an interest in the property and business of another or of others. It matters not that trade or commerce is increased and developed as the natural result of this combination. Every combination, they say, which involves any discontinuance of competition, however small, if only it relates to interstate or foreign business, is made illegal; and it follows that every person who has engaged in any such combination since July 2nd, 1890, is

* U. S. *v.* Am. Tobacco Co. *et al.*, U. S. C. C., N. Y., Nov., 1908.

guilty of misdemeanor. And this must be accepted as law, in the New York Circuit at least, unless and until it shall be declared erroneous by the Supreme Court.

It was found in the Tobacco case that the charges of improper conduct of the business were not well founded. The decision was based solely on the broad view of what the Act forbade. The theory of good and bad Trusts, under the Act, was annihilated. Every Trust, if by that is meant a combination which involves a discontinuance of competition by whatever method, is bad under the Act, if it relate to interstate or foreign trade or commerce. The Tobacco combination being illegal, so is the Steel combination, and so is the combination of two stage-drivers whose route crosses the Connecticut River, as it runs between Vermont and New Hampshire, and so is every partnership formed by the union of two competitors if engaged in interstate trade. This should not be so. Combinations, even large combinations, are necessary for the successful and economical conduct of our domestic business, and also in order that we may compete in the business of the world. And it is abhorrent to our sense of liberty that John Doe and Richard Roe, who have been doing each a little business in competition, should not be permitted to join hands and work together for larger results for themselves and for the community.

It is hardly conceivable that any intelligent citizens should refuse assent to the proposition that the sweeping condemnation of combinations declared to be found in the Sherman Act as it is should be done away with. We may differ as to what should be forbidden. But we must agree that, if the Act means what it is now declared to mean, its prohibitions go too far. Combination of capital and energies in and by itself should not be made illegal.

That the Act applies to combinations of labor, as well as of capital, is settled (Loewe *v.* Lawlor, 208 U. S., 274); and if combinations are illegal, as in effect held in the Tobacco case, no matter how fairly they deal, simply because competition is ended or suspended, the Act goes too far in the field of labor.

(4) The fourth proposition hits the most glaring fault of the Sherman Act, namely, that it was drawn in language of so uncertain meaning that no one could know what was forbidden, and that for this reason it in effect turned over to the Courts the work of legislation.

For two years or so, bills against Trusts were under consideration in Congress; and finally the Sherman Act, entirely redrawn by the judiciary committee of the Senate, was passed. In the House the consideration of the Act, as so redrawn, was quite hurried, and the spokesman of the Committee having it in charge stated that its meaning could not be known until the Courts should construe it. If the truth of this statement was open to any doubt at the time, it has been amply established since.

What was this but turning the work of Congress over to the Courts? Such a delegation of legislative functions would certainly have been rejected if the intention had been made clear. Possibly the Courts should have rejected it as it was, saying, in the language of the Supreme Court (5 Wheat. 95): "It is the Legislature and not the Court which is to define a crime." But they accepted the task and have now for eighteen years been trying to give a meaning to the Act, declaring what Congress meant when it used the words without definite intention, defining crimes which Congress denounced but did not define.

More than sixteen years after the passage of the Act, in September, 1906, Mr. Taft, speaking at Bath, Maine, said:

> "It would seem as if Congress itself knew that the evil existed, but had a most indefinite idea of how it was to be described, and the matter was apparently *turned over to the Courts*, as the cases arose and decisions were invoked, *to work out the exact character of the offences denounced*, and the limitations which were to be introduced into the statute in order that the interpretation of it might accord with what was practicable and reasonable. . . . It was not to be expected that such a statute, *dependent as it was upon judicial interpretation to make it clear*, could operate effectively at once; and the slow course of judicial decision had to be awaited before the general purpose of the Act could be attained."

After all these years, the Courts have not yet "worked out" the character of the offences denounced. Congress and the Courts together have not yet made it clear what is prohibited, in accordance with the rule which in United States *v.* Reese (92 U. S., 214) is stated as follows:

> "If the Legislature undertakes to define by statute a new offence and provide for its punishment, it should express its will in language that need not deceive the common mind. Every man should be able to know with certainty when he is committing a crime."

Delegation of legislative functions by using language "dependent upon judicial interpretation to make it clear" is a covert violation of the Constitution, not only because Congress may not delegate its powers, but also because *ex post facto* laws are forbidden. Laws which "declare an act criminal, and provide for its punishment, which, at the time of its commission, was not a crime," are *ex post facto* laws. The Courts, in construing an Act of Congress, impute to Congress an intention as of the time when it was passed. It is this that makes such construction necessarily retroactive. The Courts cannot limit the effect of their declarations to the future. Indeed, strictly speaking, they have to do only with the past. If their decisions really involve judicial legislation, such legislation, if it concerns crime, is necessarily of the character of *ex post facto* laws, making acts criminal which were not declared so at the time of their commission. And can there be any question that judicial legislation is involved, when an Act "dependent upon judicial interpretation to make it clear" is "turned over to the Courts . . . to work out the exact character of the offences denounced"?

The violation of the Constitution is called "covert," because the intention is not confessed—although what passed in the House before the passage of the Sherman Act reads very much like such a confession; and for this reason he who is charged with crime cannot avail himself of such violation in his defence. He must be punished, if his acts are now adjudged criminal, although such adjudication for the first time makes it clear that such acts are forbidden.

Consider again for a moment the Tobacco case. Probably no other decision—at any time or at any place—has revealed so many unsuspected and unsuspecting criminals. Thousands upon thousands of persons, who had no thought of violating the law, are here in effect declared guilty of misdemeanors committed at various times during the last eighteen years. Combinations believed to be lawful are now declared to have been unlawful; and it follows that all engaged in such combinations since July 2nd, 1890, are criminals, liable, except so far as protected by the Statute of Limitations, to fines or imprisonment or both. If all who are guilty under this construction of the Act were imprisoned the wheels of industry must stop. And they are guilty, not because what they have done they had before been told not to do,

but because the Courts, having now *worked out the exact character of the offences denounced,* have since declared what the Act prohibits, with like effect in law as if Congress had so declared in 1890.

All this is to be done away with if the suggestion of Mr. Taft is followed, that the amended Act shall speak in language of clear meaning, so that the business man can by reading it know what it forbids. He is bound to know the law; and, so far as this law is concerned, this is to be made possible. Surely justice demands this. The injustice of any other course has been sufficiently demonstrated. The meaning of this law, as it has been, all persons have been bound to know since 1890; and yet the judges of the Supreme Court have divided five to four upon it, and its meaning cannot to-day be told with certainty by any one, however expert, after all the efforts of the Courts to "work out the exact character of the offences denounced."

To insert the word "unreasonable" in connection with the words "restraint of trade or commerce" would, as Mr. Taft suggests, amount to a further delegation of legislative functions. It might enable the Court to work out the character of the offences more reasonably. But the nature of their task would not be changed; and it would still be true that business men could not tell what the Act must be understood to prohibit. Congress and not the Courts should now give to the Act whatever meaning is right, by the use of language not "dependent upon judicial interpretation to make it clear."

It is a corollary from this proposition that the amendment of the Act should not take the form of referring it to a commission to prescribe rules and regulations. Language may be uncertain; but still more uncertain is the course which a commission may follow, being vested with the power to make and change rules and regulations as to trade and commerce. Delegation of legislative functions to a commission is much more objectionable, upon grounds of constitutionality and of expediency, than delegation of such functions to the Courts by the use of language of uncertain meaning.

(5) The fifth proposition, that a definite understanding of the evil or evils to be cured should precede the enactment of remedies, would seem to need no argument in its support. Diagnosis should precede prescription. To prescribe without any idea what the

trouble is may sometimes be necessary to conceal the ignorance of the doctor or to satisfy the patient's demand that something be done. But it is not an approved method of curing disease.

It should be added that, as to any evil discovered, the question should be asked, Whether it is curable by legislation of any kind. There are evils in human society which cannot be legislated away, just as there are diseases of the body the only remedy for which is to stand back and give nature its fullest opportunity. It would seem almost useless to suggest this. Everybody knows it; but very few seem to act upon it in these days of competition in legislative cure-alls.

(6) The sixth proposition, that no remedy should be enacted which would do more harm than good, is too nearly axiomatic to call for argument or elaboration.

Whoever, accepting these six propositions, undertakes the task of drawing the amended Act, must ask this question: "In the field of industry and commerce, transportation excluded, what evil is there or what evils are there, suggested by the Act as it is, which should be remedied by legislation?"

After the evil, or evils, are found and the character of the needed legislative remedy is determined, it will be necessary, of course, to inquire whether Congress can provide such remedy, in view of the limitations upon its powers under the Constitution. But this question may best be put off until the end. The limitations upon the powers of Congress have nothing to do with the character of the evils or of the needed remedy. If a combination doing interstate business ought to be made illegal, so also should a like combination doing only intrastate business. The diagnosis must be the same, and likewise the remedy indicated. The difference affects only the question: By whom shall the remedy be given? So inquiry as to the character of the evils to be reached and the kind of remedy called for may best proceed in like manner as if a single Legislature had jurisdiction with respect to all matters of trade and commerce throughout the country.

Bearing upon this inquiry, Mr. Taft made another suggestion, —that what should be condemned was *intention to monopolize.* This was said tentatively, and not as a final conclusion. But its force and reasonableness will be more and more appreciated as the Act and its history are studied.

The sections of the Act which suggest evils are the first two. The first denounces as illegal "every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several States, or with foreign nations"; and the evil suggested is "Combination in restraint of trade or commerce." The second section declares guilty of a misdemeanor "every person who shall monopolize, or attempt to monopolize, or combine or conspire with any other person or persons to monopolize any part of the trade or commerce among the several States, or with foreign nations"; and the evil suggested is "monopolizing trade or commerce." In the first opinion of the Supreme Court upon this Act (U. S. *v.* E. C. Knight Co., 156 U. S., 1) its purpose is stated as follows: "What the law struck at was combination, contracts and conspiracies to *monopolize* trade and commerce."

It is submitted that the first question to be put in the proposed inquiry is, whether "monopolizing," given a somewhat broad meaning, does not cover all of evil against which the Act should operate. That word is of indefinite meaning. It includes some things which certainly should not be condemned, some which have been held not to be within the Act as it is. It will need to be defined; the various things included must be classified, as denounced or not denounced; and the classification may perhaps be based to some extent on the methods by which, or the intention with which, power to monopolize shall have been acquired. But is it not true that whatever of evil the Act was intended to reach, and whatever it should be made to reach when amended, is included in what was meant to be expressed in this second section by the word "monopolize"? To put it in another way, If the evil of "monopolizing," as so meant, were done away with, would there be any occasion for continuing the Sherman Act on the statute-book? Or to put it more practically, perhaps, Should not the second section of the Act be taken as the basis of the amended Act, and the first section be thrown aside, except so far as it may aid in defining or limiting the evil of "monopolizing"?

There may be monopoly without combination; and there may be combination without monopoly. Monopoly may be effected by combination; and it may be the purpose of combination. Which is the evil to be denounced? If combination is to be

denounced only when its purpose is monopoly, then it would seem clear that the evil is monopoly only. Is not Mr. Taft's suggestion, that monopoly is the evil to be reached, in accord with the common thought, except as it has been confused by the discussion of the first section of the Act and the words "restraint of trade"? To the common mind, doubtless, the idea suggested by the two sections was the same. The word "combination" carried more meaning than the words "restraint of trade," and a meaning much the same as was carried by the word "monopolize." It was not commonly thought that the Act prevented two individuals, competitors in business, from becoming partners. The thought was that the Act hit the so-called monopolistic Trusts, the evils of which would generally have been described by the use of the word "monopoly." It is submitted that the common notion did not take in as a distinct evil "restraint of trade or commerce," but regarded the latter only as a method of "monopolizing."

In the Northern Securities case (193 U. S., 404) Mr. Justice Holmes said: "They [combinations or conspiracies in restraint of trade] were regarded as contrary to public policy *because they monopolized or attempted to monopolize* some portion of the trade or commerce of the realm." The idea of monopoly may be vague. It may be difficult to make it sufficiently definite for a criminal statute. It may be that monopoly cannot, without regard to the modes by which it is brought about, justly be made criminal. But does not the word "monopoly," as ordinarily understood, include all of evil which the common sense of the community seeks to reach by so-called anti-trust legislation? If so, the two sections must be thrown together, what is meant by monopoly being put in the foreground as the evil, and combination being dealt with only as a means or method by which such evil may be brought about. Then combination in and by itself will not be denounced. But denunciation will fall only on monopoly. Is not this the way to comply with Mr. Taft's suggestion that combination in and of itself should not be made illegal, and yet reach after the real evil of the Trusts, as commonly understood?

If the Act is to reach after "monopoly" only, there will still remain a difficult task, though one or two matters should be easily agreed upon.

It should be easily agreed that no such phrase as "to monopolize

any part of the trade or commerce" should appear in the Act as amended. In the Tobacco case, Judge Ward says: "As this section prohibits a monopoly of any part of such commerce, it cannot be literally construed. So applied, the Act would prohibit commerce altogether." In Whitwell *v.* Continental Tobacco Company (125 Fed. R., 452), Judge Sanborn says:

"Every sale and every transportation of an article which is the subject of interstate commerce is a successful attempt to monopolize that part of this commerce which concerns that sale or transaction. An attempt by each competitor to monopolize a part of interstate commerce is the very root of all competition therein. Eradicate it and competition necessarily ceases—dies. Every person engaged in interstate commerce necessarily attempts to draw to himself, and exclude others from, a part of that trade, and if he may not do this he may not compete with his rivals."

And in the Northern Securities case, Judge Holmes says:

"According to popular speech, every concern monopolizes whatever business it does, and if that business is trade between the States, it monopolizes a part of the trade among the States. Of course the statute does not forbid that. It does not mean that all business must cease."

Doubtless it will be agreed that the Act should clearly exempt monopolies which are created merely by the issue of patents, or by other legislative grants intended to give exclusive rights. In American Biscuit Manufacturing Co. *v.* Klotz (44 Fed. R., 721), it was said:

"In construing the Federal and State statutes, we exclude from consideration all monopolies which exist by legislative grant; for we think the word 'monopolize' cannot be intended to be used with reference to the acquisition of exclusive rights under Government concessions."

There certainly should be no hesitation in refusing to accept any such proposal as to make the Act unobjectionable to laborers or farmers, or any other class, by excluding them from its operation. There is no legislative tendency more fraught with danger than the tendency to make the law satisfactory to the majority by exceptions which confine its burdens to the few. If monopoly of capital in any form should be condemned, then, upon principle, monopoly of labor should be condemned also. If monopoly of the products of the factory should be denounced, there is no good reason why monopoly of the products of the farm should not be denounced in like manner. Whether or not Congress has

power to do so, it certainly should not make discriminations such as the States are forbidden to make by the Constitution. (Connolly *v.* Union Sewer Pipe Co., 184 U. S., 540.)

But a difficult question will be whether the law shall attempt to regulate the *acquisition* of the power to affect trade or commerce or the *use* of such power—to regulate the acquisition of property and the combination of capital or energies or the use of property acquired or of capital or energies combined. Mr. Taft has spoken on this question. In his Columbus speech (August 19th, 1907), he said:

"There must be something more than the mere union of capital and plants before the law is violated. There must be some *use* by the company of the comparatively great size of its capital and plant and extent of its output, either to coerce persons to buy of it, rather than of a competitor, or to coerce those who would compete with it to give up their business. There must, in other words, be an element of duress *in the conduct of its business* towards the customers in the trade and its competitors before a mere aggregation of plants becomes a monopoly."

Judge Holmes, in the Northern Securities case, says:

"I repeat that, in my opinion, there is no attempt to monopolize, and what, as I have said, in my judgment amounts to the same thing, that there is no combination in restraint of trade, until something is done with the intent to exclude strangers to the combination from competing with it in some part of the business which it carries on."

And again he says:

"The prohibition was suggested by the Trusts, the objection to which, as every one knows, *was not the union of former competitors*, but the sinister *power exercised* or supposed to be exercised by the combination in keeping rivals out of the business and ruining those who already were in. It was the ferocious extreme of competition with others, not the cessation of competition among partners, that was the evil feared."

And in this connection the language of Judge Jackson in *In re* Greene (52 F. R., 104) may well be read, especially the following:

"It is very certain that Congress could not, and did not, by this enactment, attempt to prescribe limits to the acquisition, either by private citizen or State corporation, of property which might become the subject of interstate commerce, or declare that, when the accumulation or control of property by legitimate means and lawful methods reached such magnitude or proportion as enabled the owner or owners to control the traffic therein, or any part thereof, among the States, a criminal offence was committed by such owner or owners."

It may be that the decision in the Northern Securities case is inconsistent with this opinion (although the decree did not affect the title to the stock which the company acquired), but the opinion is well worth consideration in determining what Congress shall undertake to prohibit for the future.

So, too, should the opinion of Judge Noyes in the Tobacco case, in regard to Section 2 of the Act, have careful consideration. He said:

"An aggregation of capital or property with power to control the market for a product might be brought about by lawful means without the element of combination; and might carry on its operations without the element of oppression. If the mere possession of power is the test of legality, then the inquiry in that case, as in any other case, would merely relate to the present status of the aggregation—what has it power to do?—without regard to its past history or its present methods. Thus a result might be declared unlawful which was obtained by lawful means; an aggregation of capital, criminal, which actually operated to the public benefit. The law that illegality depends wholly upon the power of performance may be settled, but it was not settled when the tendency towards unification of interests was so marked as at the present time. It may be that now in applying the second section of the statute performance, as well as power of performance, should be considered—that the elements of oppression and coercion should be shown to exist to establish an unlawful monopoly."

Since the Act as it is prohibits combination in restraint of trade, it had been held by the Supreme Court that a combination acquiring the power to restrain trade was within its condemnation, without regard to how it used its power. But Judge Noyes doubts whether the acquisition of power to monopolize is prohibited by Section 2. If now monopoly and not combination is the evil to be reached, the suggestions of Judge Noyes are quite pertinent in determining how the amended Act shall be drawn.

Should not the proposal to limit the right of acquisition or the right to combine capital or energies be put aside? Does not the evil to be remedied lie in the improper use of power rather than in the existence of power? The power which comes from acquisition is not evil; the power which comes from combination of capital or from combination of labor is not itself evil; shall the creation of such power be prohibited, because it may sometimes be abused?

Is there any good reason for making an exception with respect to acquisition by combination? The first section of the

Act has undoubtedly caused the prevalence of a notion that there is something inherently bad in combination, that to combine is necessarily wrong. But this is obviously unsound. Men almost every day combine for good; not so often for evil.

In the Tobacco case, Judge Noyes says:

> "Whether a transaction amounts to a sale or to a combination depends upon whether the vendor parts with all interest in the business sold, or merely changes the form of his investment. A *bona fide* sale of a plant for cash or its equivalent possesses none of the elements of combination. An exchange of one plant for an interest in united plants possesses all the elements of combination."

And this is reasonable as a matter of construction of the present Act. But it comes to this, that if A, owning a competing plant, sold it to the Tobacco Company, there was or was not a violation of Section 1, according as the consideration was stock, on the one hand, or cash or bonds on the other. Should there be such a distinction? The acquisition by one corporation of many plants creates power in a particular branch of industry. Does it make any difference as to such power, or as to the possible abuse of such power, whether the corporation is owned by those who formerly owned the plants or by others equally competent?

Beyond the conclusion that the use of power, rather than the acquisition of power, should be regulated, and that such regulation should seek to prevent monopolizing, and that some kind of duress, with intent to monopolize, is a necessary element of what should be denounced as criminal or illegal, Mr. Taft does not seem to have gone in any public utterances as to the substance of the Act as it should be, which have come to my attention. But, this conclusion being accepted, there will still remain questions enough, and questions difficult enough, to satisfy the keenest minds. Among them are the following:

How far can we go, and are we willing to go, in taking away rights which have hitherto been incidental to or involved in the ownership of property—or, in other words, in taking away the monopoly which is of the essence of private ownership? Can we make one rule as to labor, and another as to capital which is the product of labor? Can we make one rule as to the big traders and another as to the little ones? Are the little traders so given to fair dealing that we may with reason and justice regulate the competition of the big traders alone? If so, where shall the line

be drawn? How shall we define, so that all may understand, what acts are condemned as "monopolizing"?

And, perhaps, the most difficult questions spring from the fact that, while decisions under the Act as it is, especially that in the Tobacco case, declare that its underlying thought is that competition should be free and unrestrained, most of the later suggestions in regard to Trusts are proposals to restrict competition. Coercion by competition, or "the ferocious extreme of competition," is what now seems especially to call for legislative interference. How shall the Act be drawn so as to make competition free in the interest of consumers, and at the same time restrain competition in the interest of the weaker among competing producers and traders?

Evidently the work of amending the Sherman Act requires very careful consideration and the best of ability. There should be no dissent from the demand that that work be taken up and prosecuted upon the lines indicated by Mr. Taft in his speech before the Ohio Society.

THOMAS THACHER.

LITERARY MEN AND PUBLIC AFFAIRS.

BY BRANDER MATTHEWS.

In one of the later decades of the nineteenth century, a politician who felt himself to be pre-eminently practical sought to dismiss all further consideration of a certain proposed measure by the discourteous assertion that it was advocated only by a lot of "those d——d literary fellows." This practical politician probably prided himself on being one of the plain people; and, no doubt, he believed that he was appealing to a wide-spread prejudice. Certainly, he would have been as deeply pained as he would have been astonished could he have foreseen the second administration of the twentieth century, when the President of the United States, the Secretary of State, the Ambassador of the French Republic and, later, the Ambassador of the British Empire, should be, all of them, "literary fellows." Had he survived to behold this strange coincidence, it would not have been easy for him to account for the high esteem in which Mr. Roosevelt and Mr. Hay, M. Jusserand and Mr. Bryce, were held by the practical politicians and by the plain people also.

Yet there may be profit for men of letters, as a class, if we take time to ask ourselves what underlay the distrust of this practical politician, and to inquire what warrant he had for it and what support he might hope to find in the opinion of the average man upon whose sympathy the professional office-seeker must ever rely. And we may begin by admitting that this plain-spoken spoilsman was only voicing an opinion long-standing and wide-spread. However inexplicable it may seem to us, it is a fact that both the plain people and the practical politicians have often displayed a certain suspicion toward the "literary fellow"; and they have often acted on the belief that he was likely to be little better than an impractical theorist. This is no new thing;

Machiavelli, for example, was a man of letters, with the acutest insight into practical politics as the game was played in his time and in his country; and yet the code of practice which he drew up for the guidance of his Prince was not rewarded by the gift of responsible office. The little Italian republics of the Renascence,—like the great American Republic centuries later,—often availed themselves of their men of letters as envoys to other Powers; but they rarely entrusted these "literary fellows" with positions of authority. However ably and adroitly Dante and Boccaccio and Petrarch might acquit themselves of their missions abroad, they were not rewarded at home by being made rulers of men. And here in the United States, while we have been glad to see ourselves worthily represented in foreign parts by Bancroft and by Motley, by Irving and by Lowell, we have not often been moved to elect men of letters to high office in the nation or in the State; and, even when we have seemed to choose them for office, the election has generally gone to a statesman who was also an author rather than to an author who was also a statesman. The fervid rhetorician who wrote the Declaration of Independence and the historian of the "Winning of the West" are the only men of letters who have ever risen to the Presidency; and their interest in politics is acuter than their interest in authorship.

In the opening chapter of Cooper's "Pathfinder" an old sailor on a trip through the woods is told by an Indian that the smoke they see curling above the trees must come from a fire made by a white man, since it is denser than it should be, because it arises from wood wetter than any fuel a redskin would ever use. "Tuscarora too cunning to make fire with water," the Indian explains; "pale-face too much book and burn anything; much book, little know." And the old sailor readily admits that this is reasonable, and that "the chief has sensible notions of things in his own way." A little later in the same tale Leatherstocking himself declares that he never "believed much in the learning of them that dwell in towns, for I never yet met with one that had an eye for a rifle or a trail." What is this but a belated echo of Festus's saying, "Too much learning hath made thee mad"?

Perhaps a part of the hostility toward Cooper himself, which was rampant about 1840, was due to the disgust of the journalists of that provincial period evoked by the spectacle of a man of letters, a mere teller of tales, who ventured to hold firmly and

to express frankly opinions of his own about the social order, about politics, and about statecraft. These were themes which the newspaper men reserved for themselves and which no "literary fellow" had a right to meddle with. The journalists of those days may have been irritated by Cooper's plain speech and by his curt contempt; but they had a deeper grievance. They deemed it a gross piece of impertinence for a novelist to stray from his story-telling, and they bade him "stick to his last." So the practical politicians of a New England State recently waxed indignant at the interference of one of Cooper's disciples as a historical novelist when this story-teller made bold to protest against political conditions which seemed to him intolerable.

It is only fair to admit unhesitatingly that there is not a little to be urged in behalf of this belief that men of letters often go off half-cocked when they see fit to discuss political affairs. They often obtrude political opinions which are not the cautious result of a deliberate examination of the whole situation. Perhaps the novelist and the poet are inclined to be somewhat impractical; and perhaps they are not more likely than any other member of the community to be gifted with political sagacity and with statesmanlike insight into the needs of the future. Perhaps, too, many "literary fellows" are wont to take themselves too seriously, and to claim that their possession of "the vision and the faculty divine" makes them wiser than the rest of the world. Even poets and novelists of indisputable rank have often revealed themselves fantastic and absurd in their rash adventures into political speculation. In the ideal communities they have vaguely glimpsed, there is frequently a thin unreality. They are wont to balloon themselves up into a rarefied atmosphere where the ordinary man cannot breathe. The plain people would have been sadly misguided had they attempted to take their politics from Shelley, for one, or from Balzac, for another; nor would they have found a much more solid support in Hugo or in Hawthorne. Cooper stands out as an exception among later poets and novelists, in that he had thought seriously about the organization of society.

It is in his delightful biography of the author of the Leatherstocking Tales that Professor Lounsbury has occasion to refer to the alleged poet Percival, and the witty critic tells us that, as this versifier "invariably proved himself entirely destitute of common sense in his ordinary conduct, he was led to fancy that

he was not only a man of ability, but a man of genius." Not a few crude geniuses seem to have accepted the theory implied that genius is always crude. And not a few of those who ought to know better lazily consent to this false view, admitting a plea of the irresponsibility of genius as an adequate excuse for the weaknesses of Poe and Coleridge and for the vagaries of Musset and Villon. But nothing ought to be clearer than that real genius never shirks responsibility, and that it is ever buttressed by common sense. The truly great men have been idealists who had a sustaining grasp on the realities of life. Sophocles, for example, was entrusted with command in battle; and Milton was charged with the delicate duties of diplomatic correspondence.

A mandarin complacency is not a characteristic of the truly great man of letters. Rather is it the truly small "literary fellow" who is likely to reveal an insufferable self-sufficiency, and to assume that his gift of expression supplies him also with opinions worth expressing. The narrow-mindedness of the mere "literary fellow" of this shallow species was never more cruelly self-exposed than in the journal of the Goncourts. They had a pretty gift of description and even a certain felicity of sentimental analysis; but they were appallingly ignorant and fundamentally unintelligent. They were absolutely incapable of apprehending a stimulating generalization; and yet their marvellous conceit prevented their seeing the pitiful figure they presented at the Magny dinners when Taine and Renan were discussing questions of large importance. Not only were their minds hermetically closed to a new idea, but they were actually unaware that it was new and that it was an idea.

Even in discussing his own special art, the poet or the novelist may disclose his sharp limitations. While many of the most suggestive and inspiring of æsthetic essays have been due to the pens of the practitioners of the several arts, Fromentin and La Farge, for instance, Stevenson and Howells,—artists who happened also to possess a keen insight into the principles of their crafts,—the large majority of the treatises on poetry and on fiction written by the poets themselves, and by the novelists, are devoid of any real value. The writers reveal the fact that, even though they may have the gift of the lyrist or of the story-teller, they lack the gift of the critic. These articles prove once again that the artist does not need to know more about his art than

how to practise it, and that he may himself apply his principles, unconsciously and yet satisfactorily, although he is quite unable to formulate them for others, in default of the philosophic endowment which is not a necessary part of the artistic equipment.

Mrs. Siddons and Salvini were great actors beyond all question; but the papers they prepared on the art of acting were entirely without significance. Victor Hugo was the foremost of French poets; but his famous manifesto of revolt, the preface to "Cromwell," in which he sought to declare a body of doctrine and to lay down the law of poetic evolution, is a revelation of his incapacity for critical thought. So also the series of strenuous essays in which Zola, a novelist of epic power, undertook to forecast the development of fiction shows that he failed to understand even his own method. Now, if these artists and these men of letters are sometimes discovered to be hopelessly at sea when they set out to consider their own special departments of human endeavor, how much more astray are they likely to find themselves when they go outside the boundaries of their own calling!

It was in his incisive essay on Shakespeare that Bagehot, shrewdest of observers, was moved to explain "the reason why so few good books are written." He asserted that it was because "so few people that can write know anything. In general, an author has always lived in a room, has read books, has cultivated science, is acquainted with the style and sentiments of the best authors; but he is out of the way of employing his own eyes and ears. He has nothing to hear and nothing to see. His life is a vacuum." This may seem harsh; but it is not unjust to a large proportion of mere "literary fellows." They know little or nothing except books. They have cultivated the means of expression; but they have to express only what they may find in their libraries. They do not know the world beyond their bookshelves. They are men of letters, not men of action; and often they are not men of thought. When one of them happens to have a doctrine he can so wing his message with flame that it reaches the hearts of men; and this is what made Rousseau so powerful and so dangerous. And, on the other hand, when the man of action happens also to have the gift of expression, we get one of the books the world will not willingly let die,—the "*Commentaries*" of Cæsar, the autobiography of Cellini or the "Memoirs" of Grant.

The attitude of the practical politician and of the plain people

is thus seen to have a certain justification in the frequent willingness of "literary fellows" to declare opinions which are not the result of study and of acquaintance with the subject, and which therefore had better not be made public. To say this is to suggest that the man of letters who uses his power of expression as though it gave him a right to speak with authority about themes to which he has paid only superficial attention is really a traitor to his craft, in that he exposes the whole guild of authors to a contempt which is not without excuse,

Although it may be confessed that "literary fellows" have not infrequently laid themselves open to the reproach of talking when they really had nothing to say, it needs to be noted that some portion of the vague distrust of the plain people here in the United States has had another origin. It seems to be a survival of our inheritance from early Colonial conditions, when the sturdy settler had more or less reason to look with suspicion on all possessors of superior education as likely to be supporters of the aristocratic tradition which he was striving to disestablish. "In the minds not only of the Pilgrims and the Puritans, but also and in even stronger degree in those of the Quakers, the Huguenots and the Palatinate Germans intellectual activity that went beyond the limits set by theology or practical politics was associated with culture," so Professor Giddings has reminded us; and "culture was associated with leisure, opportunity, worldly indulgence. These, in turn, were associated with oppression." The same acute observer suspects that there was a feeling of hostility to worldly learning in the early American days that partook of class-conscious antagonism; "to be overmuch interested in merely intellectual pursuits was to be in a degree disloyal to the common cause."

Closely akin to this easily understood hostility,—which is not in itself unworthy,—there is another inherited feeling born of our primitive conditions and still surviving here and there long after these conditions have departed. In a new community, fraying its way in a new land as best it can, every one must do everything for himself; since there is no one at hand to do it for him. There can be no division of labor, no specialization of function; and every man is compelled to be a Jack of all trades. This breeds in the race self-reliant resourcefulness; it stimulates ingenuity and inventiveness. Men forced to find out new ways of

doing old things are trained to face an emergency and to front the unexpected need. This undaunted facility in turning one's hand to anything is now a developed characteristic of the American people, and it is one of our most precious assets in the economic struggle for the markets of the world.

But this transmitted inheritance has one obvious disadvantage. It tends to spread abroad a belief that any man can do anything about as well as any other man can do it. It leads to the assumption that any man is fit for any post. It makes us contemptuous of all special knowledge and resentful of all expert advice. It accentuates the suspicion which the average man of our English-speaking stock has been wont to show toward the "theorist," and which has often tempted him to the overt absurdity of declaring that certain things "may be all very well in theory, but they won't work!"

Once more candor compels the confession that now and again the practical man's contempt for the theorist has been intensified by the occasional mistakes of these experts, who were not quite so expert as they thought themselves. Once upon a time a theorist proved to his own satisfaction that a ship could not possibly cross the Atlantic under steam because it never could carry coal enough. And a later theorist was moved to explain that an ice-yacht could not possibly go faster than the wind.

It has happened, also, that rule-of-thumb readiness has sometimes achieved an immediate result not so swiftly attained by a more scientific thoroughness. In the early days of the Civil War a General halted his troops on the banks of a river half a mile wide, ordered his engineers to make plans for a bridge, and informed a New England Colonel that the building of the bridge would be confided to the Yankee regiment. The next afternoon the Colonel called on the General, who told him that the engineers would soon have the plans ready. The Colonel smiled as he answered: "I don't much care about the pictures; you see, my boys have got the bridge built!"

In a community where this sort of thing could happen there need be no wonder that the practical man was impatient of the theorists and of the experts. He was sufficient to himself, and he had no use for them. But as backwoods conditions disappeared, division of labor had to appear. Specialization of function is the mark of advancing civilization. There is no better evidence of

our progress than the avidity with which the practical men in charge of our mighty industrial enterprises are now seeking out experts and snapping up all the theorists within reach. And the results of this broadening of vision are increasingly evident outside the field of industry. The American public is apparently awakening to the fact that its servants had better be trained for service, and that its consuls, for instance, will be able to benefit the commerce of the country more amply if they have been forced to fit themselves for their special work.

Probably this broadening of vision will sooner or later effect a wholesome change in the attitude of the plain people toward the expert, the theorist and the "literary fellow." Possibly it may even modify the curiously inaccurate opinion which the average man seems to have as to the College Professors. This opinion is, apparently, a survival from the days when any superannuated clergyman was accepted as an adequate occupant for any chair in any institution of learning. Half a century ago the programme of studies in all of our colleges was narrow and rigid; and anybody who had taken the course in his youth held himself ready in his old age to give instruction in any of the prescribed studies. A little more than a score of years ago, whenever any chair at Columbia College happened to fall vacant, an application was promptly presented by a certain aged alumnus who proffered himself as the proper person for the post, equally willing to impart instruction in Greek or in mathematics, in chemistry or in history. While this worthy clergyman failed of his appointment at Columbia, there were other men no better equipped who did secure chairs in other institutions, as though to confirm the departed belief that those who had failed in everything else were at least capable of teaching.

The programme of studies has been enormously extended of late, and it now covers many new subjects,—biology, sociology, psychology,—as to which the man in the street can have only the haziest notions. With the usual conceit of ignorance, he is unwilling to take the unknown for the magnificent. Only too often is he inclined to dismiss these new sciences as futile, and to hold those who teach these novel subjects as vain triflers not to be taken seriously. And here once more the fault is sometimes to be laid at the door of the professors themselves, rather than at that of the plain people. Now and again one of them, not re-

strained by the caution his scientific training ought to have instilled in him, rashly adventures himself in fields in which his own special knowledge gives him no advantage, and in which he himself is no wiser than the average man. It would be a sorry spectacle to see a Professor of Rhetoric holding forth on hypnotism, or a Professor of Experimental Psychology emitting empty opinions about the condition of English orthography and about the administration of the criminal law. Bumptious outpourings of this type cannot fail to bring a certain discredit upon scholarship itself, and to confirm the man in the street in a contemptuous distrust of the man of science.

Professor Lounsbury has reminded us that general information is often but another name for scientific ignorance. And the reverse of this is true also, since special knowledge is not infrequently accompanied by a lack of general information. Excessive specialization may lead to excessive narrowness of vision; and a professor, scientifically trained in Germany and conscientiously confining himself to the dative case, may go through life without ever attaining that knowledge of the world and that wider outlook upon life which a broad education ought to have bestowed.

While there are a few professors here and there who are lacking in breadth, and while there are also a few who are not afraid to go out of their depth at the risk of floundering in muddy water, a large majority of the men who now hold the more important chairs in our more important universities have not allowed their scholarship to crush them. They are scholars, first of all, of course, and this they should be; but they are also good citizens seriously interested in the teeming life about them and taking a manly part in the movement for social uplift. They profit by their academic detachment from the business of making money to attain a wider perspective. They tend to be idealists, like the men of letters; they want to peer into the future, and to relate what must be done to-day with what will have to be done to-morrow. Therefore, they are likely to be dissatisfied with the makeshift devices of the practical politicians, who often seek only to remove the symptoms of a distemper in the body politic without regard to the real cause of the disease.

As they have no hesitation in expressing their disapproval of quack legislation, they are likely to come into frequent collision with both the business man who wants an evil condition remedied

in a hurry and with the professional politician who is swift to pass any act which he thinks the people want regardless of its ultimate effect. And here is a solid reason for the hostility they often arouse. The practical man of affairs, whether in business or in politics, is prone to take short views, and to hold that sufficient unto the day is the evil thereof. He is an opportunist; and he is moved to wrath when the professors provoke him by their calm assertion that no pill has ever yet cured the earthquake.

While the well-meaning man who wishes to have everything made better overnight is offended by the disinterested attitude taken by the College Professor and by the "literary fellow" toward public questions, the man who is actually profiting by present conditions is fiercely resentful. He is belligerent in defending his own, and he is sceptical as to the disinterestedness of his opponents. He impugns their good faith; he imputes unworthy motives; and he relieves his feelings by lumping the "literary fellow" and the College Professor in a comprehensive anathema. And here he exhibits class-conscious antagonism, but it is too frankly selfish not to defeat itself by self-disclosure.

It is an evidence of the common sense of the American people that the prejudice against the College Professors, like that against the men of letters, is rapidly dying down, and that there is beginning to be public recognition and public appreciation of the service they are rendering to the Commonwealth. This recognition is displayed in the increasing frequency with which their advice and their aid are sought in solving the problems of society, and in the greater weight which is attached to their opinions upon the subjects they have studied. This appreciation is due partly to the fact that the public is at last discovering the improvement in the quality of the professors in consequence of the development of the American university, more especially in the larger urban communities; and it is partly due to a growing understanding of the real value of the expert and the theorist.

It is easy to give striking instances of this increasing reliance of the public upon the university for expert aid; and perhaps I may be pardoned if I present a few of them from the recent history of the institution with which I am most familiar. Probably it would not be difficult to select examples as significant from the later experiences of any other of the larger universities in the larger cities. The admirable school-law of New York, now in-

corporated in the charter of the city, was due largely to the skill and foresight of one Columbia Professor; and another Columbia Professor was a member of the Commission which prepared the charter itself. A third sat on the Commission for revising the tax system of the State; and a fourth had a seat in the Panama Canal Commission. A fifth went out to San Francisco to take charge of the relief work immediately after the earthquake; and a sixth had to ask for leave twice,—first, to act as Assistant-Secretary of State; and, second, to serve as Secretary of the Commission which signed the treaty of peace between Spain and the United States. Two of my colleagues have recently declined calls to take charge of the Museum of Fine Arts in Boston and of the Smithsonian Institute in Washington, while a third has accepted the presidency of the Carnegie Institution.

It would be easy, also, to bring forward many instances of the practical efficiency of men of letters. One "literary fellow," in New York, laid the solid foundation of tenement-house reform. Another, in Washington, prevented the dismemberment of the Chinese Empire. A third established the Naval Academy at Annapolis against the protests of the practical politicians of his time. It was a "literary fellow," risen to be Prime Minister of Great Britain, who had the daring imagination which led him to acquire control of the Suez Canal, and thus to bring about the supremacy of his country over Egypt. And it is to the undying honor of the men of letters of France,—the so-called "intellectuals,"—that, in the blackest hours of the Dreyfus iniquity, they stepped forward to insist on the duty of doing right even though the heavens should fall.

We can see a good augury for the future in the prominent position now awarded by public opinion in America to the College President. The more or less tolerant contempt which the average man has sometimes displayed toward the mere Professor he has never felt toward the President. He knows little enough about the work of the Professor and about the needful qualifications for any particular chair; but he cannot help perceiving that the President must be a man of affairs, having a knowledge of the practical things of life, such as the president of a bank or of a railroad needs must have. Probably the man in the street would not be greatly surprised if he should be reminded that one University President was formerly the editor of a leading

railroad paper, or if he should be informed that another University President had declined the presidency of an important trust company. Although the man in the street does not happen to know it, the American College President occupies a position without parallel in Europe; and this position, lofty and detached, gives him a platform from which to speak with authority. Any one who will call the roll of the men now at the head of our older institutions of learning cannot fail to be struck with the fact that almost every one of them is a scholar, who is also far more than a mere scholar. And yet they are, all of them, professors who have been promoted from the ranks.

College Professor and "literary fellow," expert and theorist, seem at last to be coming into their own. It was in the old nineteenth century that the professional politician was guilty of the sneer which has served as a text for these random remarks. Long before the twenty-first century shall loom before us, we may expect to find that the man in the street will have experienced a change of heart. Perhaps we may even hope for a happy day when no smile will come to any lip on reading the cry of Napoleon's soldiers in Egypt as they formed square to repel the charge of the Mamelukes: "Asses and savans to the centre!"

But, in order that this change of opinion may be effected, it is incumbent on the "literary fellows" and the College Professors, on the theorists and the experts, so to control their utterances and so to direct their energies that the plain people will have no excuse for resuming again the suspicious attitude of bygone days. It will be their duty to seek to attain to the type of the cultivated man as set forth by President Eliot—"not a weak, critical, fastidious creature, vain of a little exclusive information or of an uncommon knack in Latin verse or mathematical logic," but "a man of quick perceptions, broad sympathies and wide affinities, responsive yet independent, self-reliant but deferential, loving truth and candor, but also moderation and proportion, courageous but gentle, not finished but perfecting." The closer we can come to this ideal, the less we shall fall behind that of Isocrates, who declared that by "an educated man" he understood "one who can deal with all that comes upon him day by day; who is honest and mannerly in society; who rules his desires; who is not spoiled by good fortune."

BRANDER MATTHEWS.

THE CENTURY AND SILVER.

OUR EXCHANGES AND THE YELLOW PERIL.

BY MORETON FREWEN.

In attempting to outline the new phase of the Silver Question within the brief limits permitted in this Review, I must claim the extreme indulgence of the reader. For the road we needs must travel is a road that really girdles the Earth, and any elaborate presentation would involve a history of the precious metals, a history too of those legislative changes which by destroying or impairing the mint-demand either for one or for the other metal have tended to upset the equilibrium, or what economists call the "par of exchange," between the two metals. Further it would be necessary to tabulate and compare commodity prices and price variations over long series of years in the West and in the Orient. The objective of this paper will be reached if I show why this controversy has slumbered for half a generation, and why it now demands far more urgently than ever before the consideration of those then in their nurseries, but to-day in their schools, from whose painful experience and developing intelligence a rational solution will yet be secured. I appeal to the youth of America to study carefully a question which, in the doubt and drift of the last thirty years, has deep-seated a disease certainly perilous, perhaps even fatal to our Western civilizations.

Now, what is there about the metal Silver which can justify a statement apparently so extravagant, and how can it be worth the while of the youth at school to devote himself to a section of economic science complex, cryptic, unsettling? The reply is in a small compass. As the gold price of silver rises and falls, so do our exchanges with eight hundred millions of Asiatics rise

and fall. For two thousand years and more, the Asiatic has absorbed silver. His "divine hunger" is for that metal; it represents his labor, his capital, his conditions of work and sacrifice. Thus, when silver and the silver exchanges fall, then for every Asiatic desiring to buy our goods, gold and our gold prices have automatically advanced and his power to purchase from us is proportionately reduced. Since 1896, owing to the metallic inflation of our currencies occasioned by the abundance of the new gold supplies, gold prices (and wages) in the West have been rising with unexampled rapidity, while silver prices and wages in the Orient have slightly receded.* This price condition must of itself greatly contract the purchasing power of the Asiatic from gold-standard countries; but, when to this is added the fact that there has been also an unprecedented fall in the exchange value of his money, a fall of almost thirty per cent. in the past twenty months, is it wonderful that our export trades to Asia should be in a state of collapse and that the "open door" of Asia is now a door that opens only outward? In all the world's history of the two metals there have been two and only two catastrophic falls in the gold value of silver, the present fall dating back to July, 1907, and the almost equally serious and more sudden collapse in June, 1893. Smaller falls than these two have not been infrequent since 1873; and even on such occasions the resulting rise in gold prices (measured by Asiatic currencies) has impaired the purchasing power of the myriad-peopled East, and thus depressed many staple trades upon which the well-being of all trade is built up; but the cosmic falls in the price of silver in 1893-4 and in 1907-8 were followed just as we should expect by acute financial convulsions each of which cut the leaves of a new volume in financial history. It seems but a little matter, this fall of some sixteen cents an ounce in silver bullion, just as to primitive man a tiny crack in the earth's crust must have seemed a little matter; but to-day, whether it is in San Francisco or on Manhattan Island there comes this little fissure, and the vast superimposed structures, whether of concrete or of credit crumble and collapse. At the Brussels Monetary Conference in 1893, Baron Alfred de Rothschild, who represented Great Britain, said:

* *V.* Blue Book. "Prices and Wages in India," pp. 218–239, 252–253, 147–155, 267–269, 260–261.

"Gentlemen, I need hardly remind you that the stock of silver in the world is estimated at some thousands of millions, and if this Conference breaks up without achieving any definite result there may be a depreciation in the value of that commodity frightful to contemplate, and out of which a monetary panic may eventuate the far-reaching effects of which it is not possible to forecast."

This was the view in February, 1893, of a brilliant cosmopolitan financier. His warning was unheeded and the Conference did adjourn having reached no result whatever. A few weeks later the greatest collapse in the price of silver ever known to history was followed by disasters verily "of far-reaching effect." For every bank in Australia, save one, closed its doors, while one-fourth of the entire railroad mileage of the United States passed into the hands of receivers.

The ability then, to buy our goods on the part of that half of the human family which inhabits Asia depends on the value, in exchange, of their silver money: the greater the fall in silver, the greater the premium they must pay for our gold on every tiny bourse and in every bazaar from the Yellow to the Red Sea. In the past twenty months, silver has fallen sixteen cents per ounce, a further fall of sixteen cents would be a rise of sixty per cent. more in that premium which one-half the race would have to pay for the gold with which it buys the goods of the gold-standard communities.

The fall in silver in 1893 was caused by the closing of the Indian Mints to free coinage; its fall in 1907 was caused by the failure of the monsoon rains in India and the temporary cessation of her exports of soil products. The crisis of 1893 was attributed to the long previous Baring affair, to Goschen's Debt Conversion; the crisis of 1907, to Presidential indiscretions. But the root cause was far different; it was in the stimulus afforded by collapsed exchanges to Oriental exports and the sudden contraction of all that Asia imports. Only thirty-five years ago, the Hongkong exchange on London was four shillings and twopence; to-day it is one and ninepence. Let me translate this statement from its financial vernacular for the man in the street. A few years ago, then, when a Chinaman wanted to buy English cottons, he bought ten sovereigns—that is, a bill of exchange for ten pounds on London, with thirty-one of his silver taels. To-day, while his labor and his products bring him no more taels than in 1873, he

must give seventy-seven taels for this same bill of exchange for ten pounds. Is it any wonder then that notwithstanding the splendid efficiency of the American railroad service to the Pacific and America's lines of well-equipped steamships, yet American exports to the Orient languish—so that San Francisco and Seattle, Portland and Vancouver, which should be emporiums for a vast growing trade with Asia, must content themselves with a mere coastwise business. Such then is the position; to each fresh fall in silver as by an electric contact the manufacturing activities of Asia respond; we have seen the mills in Bombay and on the Hugli, the boot-mills of Cawnpore, a thousand scattered factories throughout China and Japan fostered into profitable life by lower and ever lower exchanges. It is not too much to affirm that in thirty years England has seen the entire character of her trade with Asia revolutionized. The houses of her great merchant princes who formerly imported into Asia the fabrics of England and of Europe are largely in liquidation or have now become exporters instead of importers.

So long ago as 1894 Mr. W. S. Wetmore—at that time, I believe the President of the Shanghai Chamber of Commerce—assured me that the importing merchants in the Far East were at the extreme end of their tether. "You will hear no more from us," he said, "as to the race danger of low exchanges. We have done our best to enlighten you and we have failed; now we must devote our energies to exporting and thus recoup ourselves for the terrible losses of the last fifteen years." I hope as exporters these good men of our own race have since done well. Indeed, how could it be otherwise? In 1873, the sovereign was worth in exchange with China about three taels, and three taels then paid for one day the wages of twenty-five Chinamen; but now the sovereign is worth nearly eight taels, and wages being no higher, the sovereign exchanged into the currency of China now pays the wages for one day of sixty Chinamen. Is there any doubt that American capitalist Captains of Industry will, in the next few years, take advantage of such exchange conditions? It is well known that in the Chinese Province of Shansi there are vast beds of coal and iron ore as in Alabama in close proximity; that region is an ant-heap of willing unorganized labor, which will be as potter's clay to the hand of a modern Trust. What a slender barrier even the Dingley

tariff interposes to the menace of such a competition backed by such exchange rates! To-day China, happily slow to adapt herself, appears to be waiting for some advance in exchange which will permit her to buy from America a railway equipment; her demand is, as it were, dammed back by the break in exchange, but it requires little imagination to foresee that the day is near when the United States Steel Corporation will be a great exporter even to American shores of rails rolled in their own mills in Shansi. In sight, even in 1893, of the race peril confronting us, Senator Jones of Nevada declared at Brussels of the legislation which had brought the exchanges to this pass:

"If this step was taken without full appreciation of the results that were to follow, it was a piece of delirious folly; if with full consciousness of the consequences it was nothing less than an act of treason against the race."

Senator Allison was the Chairman of the United States delegation at Brussels in 1893. In a generation often frantic, headlong and hysterical, the Iowa Senator preserved his poise and carefully weighed the word whether written or spoken. A few weeks before his death, he wrote me, and for publication when the proper opportunity offered, what was destined to be his last word on silver. He said:

"Certain it is that there has been a great advance in gold prices in both countries [Great Britain and the United States], whilst commodities measured in silver in the East remained stable. It would seem that a corrective can be applied in both instances, thus creating stability of exchange. Elaborate your views in this regard with your own people, and it may be that the United States will be in a position ere long to cooperate. I wish you could find time to communicate with Senator Teller, who is wise on these topics."

Such, briefly outlined, is the financial derangement which to-day we call the Silver Question. With every fresh advance of gold prices, this derangement enlarges its area; and those of us who are students of price conditions believe that to-day we are only in the initial stages of this great advance in prices and that in view of the immense and increasing annual supplies of new gold from the mines, the coming depreciation of gold will be the striking economic feature of the next fifty years. I was present, in 1894, at a small informal dinner in London, given by Sir William Houldsworth for the late Professor Francis A. Walker of

Boston, an economist whose writings have now a greater formative influence than those of any teacher since John Stuart Mill. Professor Walker, when asked for a short statement of his views on this exchange problem, amazed us by the evidence of his overmastering anxiety as to breakers ahead. We who were present have since come to see that his prescient warning was no whit too emphatic. This eminent economist, whose works on Money and Wages are to-day classics in seven languages, held up to us as the spectre of the real yellow peril Chinese cheap labor, equipped with cheap silver. Professor Walker concluded:

"I recognize in this silver issue no mere problem in finance; I believe that with its right settlement is bound up the very progress of civilization in the Western nations."

It was a late Speaker of the House of Representatives who crystallized that warning in an admirable phrase. "May not," said Mr. Reed, "the yellow man with the white money cut the throat of the white man with the yellow money?"

I recall that, in 1896, when Japan was still a silver-standard country, the British Consul-General in Hakodate furnished to his Government the following facts. Hakodate, a few years earlier had put in a system of water-mains and had purchased English iron pipes at four guineas per ton. At the then exchange this price per ton was twenty-eight dollars. In 1894 Hakodate required for extensions another 1,500 tons which the same English firm tendered for at four pounds per ton; but in the interval silver had fallen so considerably that now the cost per ton in exchange was forty dollars. In other words, it required nearly forty per cent. more of Hakodate's money to purchase five per cent. less gold. Under these circumstances, Hakodate instead of buying English pipes erected an iron foundry, and when last heard from was exporting pipes to China and India. In view of this incident at Hakodate, and doubtless the spectacle of a thousand more such industrial creations under their own eyes claiming the unquestioned paternity of cheaper silver, the Yokohama Chamber of Commerce on May 15th, 1894, addressed an important memorial to the London Chamber. It concludes:

"Every month of delay in monetary reform does not only a temporary, but a permanent injury to the trade of all countries having a gold standard, as though the eventual righting of the silver question may check the further establishment of mills in Japan and China, those already

erected will remain keen competitors of the mills and factories of Lancashire and the West, and there will be great difficulty in ever getting back again the trade now being diverted.

"Already, under the influence of cheap silver, a large proportion of the trade east of the Suez Canal is finding for itself new channels which will gradually be closed to Western competition, and we foresee that further persistence in the present monetary policy of Great Britain must entail an injury to the manufactures and industries of the West, the extent of which is incalculable."

Of the fall in silver, and the subsequent mushroom growth of the cotton-mills of Bombay, the Manchester Chamber of Commerce had already declared in December, 1888:

"We are led to the conclusion that the principal cause which has enabled the Bombay spinners to supersede those of Lancashire in exporting yarn to China and Japan is the great fall in Eastern exchange since 1873. . . . It appears that the geographical advantage enjoyed by the Bombay spinner has been lessening, while his power to compete with Lancashire has been increasing."

Quotations such as these are tedious, and can hardly be necessary at this late date. Enough to say that a fall in silver is but another expression for a rise in the gold premium throughout Asia. New York's merchants when exporting to Mexico, Brazil and the Argentine know by costly experience the embarrassment of a jump in the gold premium with those customers.

I now come to the reason why the initiative in this issue may be more hopefully anticipated at Washington than at Westminster. In the first place, the policy of cheapness at any price is part and parcel of that sweating system we call Free Trade, and as to which British illusions even to-day are not wholly dispelled. Cheap silver, let us admit—that is, lower exchange with India, China and the Straits—has given us "cheap" wheat, cotton, silk, jute, tea, tin and indigo, besides numerous cheaply manufactured products. Where these exports come from India, it is at least arguable that three hundred millions of British wards profit by the fall in the exchange value of the rupee; the Indian obtains more rupees for less gold, and the purchasing power of the rupee is at least as great as ever. But by tradition and by interest America has walked no step down that road to cheapness. Let us examine her record.

Immediately on the resumption of specie payments, America

became alarmed at a growing divergence in the values of the two precious metals, hitherto unknown in their history. Accordingly, in 1878, Congress passed an Act requiring the Executive to invite an International Conference to assemble in Paris. The attitude of the United States was embodied by the American delegates in the following proposition:

"It is the opinion of this Assembly that it is not to be desired that silver should be excluded from free coinage in Europe and the United States of America; on the contrary the Assembly believes that it is desirable that the unrestricted coinage of silver and its use as money of unlimited legal-tender should be retained where they exist and as far as practicable be restored where they have ceased to exist."

In 1881 a second Conference was called upon the initiative of the two great Republics. Their joint declaration reads:

"The depreciation and great fluctuations in the value of silver relatively to gold which of late years have shown themselves, and which continue to exist, have been and are injurious to commerce and to the general prosperity, and the establishment of a fixed relation of value between silver and gold would produce most important benefits to the commerce of the world."

Again, in 1893 it was Mr. Blaine who sent out the invitations for the Monetary Conference which assembled in Brussels.

In 1894, in the debate on the repeal of the Sherman Silver Purchase Act, Senator Don Cameron, of Pennsylvania, was able to declare that "from the beginning to the end of this long debate not one voice in either House of Congress has been raised in defence of a monometallic gold currency." In 1895, the following cable, drafted by Senators Hoar and Allison was entrusted to me to despatch to London:

"*The Lord Mayor of London, The Mansion House, London.*

"We desire to express our cordial sympathy with the movement to promote the restoration of silver by international agreement, in aid of which we understand a meeting is to be held to-day under your Lordship's presidency. We believe that the free coinage of both gold and silver by international agreement at a fixed ratio would secure to mankind the blessing of a sufficient volume of metallic money and, what is hardly less important, secure to the world of trade immunity from violent exchange fluctuations.

"(Signed) John Sherman, W. B. Allison, D. W. Voorhees, George F. Hoar, Nelson W. Aldrich, William Frye, C. K. Davis, William Cullom, Henry Cabot Lodge, Calvin S. Brice, O. H. Platt, A. P. Gorman, Edward Murphy, David B. Hill."

The signatures are of those Senators only who had been active in repealing the Sherman Act the previous year. No one else was invited to sign; only one Senator, Mr. Vilas, refused.

In 1896, free coinage at one to sixteen having been defeated, Mr. McKinley immediately after his inauguration despatched the Wolcott Commission to Europe. When the real history of that Commission's work is examined, it will be found that, having surmounted every anticipated obstacle, it just succumbed at the very last moment to the amazing and wholly unexpected opposition of the Calcutta Executive. An international proposal supported by the Governments of the United States, Great Britain and France, a proposal which each successive Government in India had waited for in labor and sorrow for thirty years, was done to death in a despatch which we read between laughter and tears, signed "Elgin, George White, James Westland." There was, however, one correct and noteworthy admission in all this egregious document. The signatories declared, of the advance in silver which the proposed international agreement was designed to bring about, that *"the rise in exchange would kill our export trades."*

And there is an added reason of great historical interest why the United States should come to the defence of Christendom and rehabilitate the exchange. But for a bill passed by Congress in 1873 there would probably never have been a Silver Question. Very briefly outlined, the currency position in 1873 was this: Great Britain had a single currency of gold, and was, and to-day is, the only free gold market in the world—the only country that pays gold on demand. That other vast annex of the British Empire, India, "the sink of silver," had a single silver currency, while France with mints open to receive impartially either gold or silver (her ratio being one to fifteen and a half), had for long acted as the world money-changer. This accidental structure, for apparently it was quite accidental, this exchange tripod each leg as necessary as its fellow, secured stability of exchange between Asia and South America on the one hand and Europe and North America on the other. By the light of what we have lost we can to-day estimate the infinite importance of exchanges so fixed. I have come to see that England's so-called monometallism, her gold currency and free gold market in the West, her "silver sink" in the East, was quite as essential to the perfect

exchange mechanism as was the free mintage of both the metals by France. We may as well endeavor to decide which is more important in an engine, the fly-wheel or the piston. It is vital to any future settlement that we should recognize what England did, because it has been the jealousy of Great Britain's single gold currency (and it is fair to add the extravagant and ignorant language of those who have spoken for her) which have prevented in the past and may again prevent an *entente*. We bimetallists, and it is a wise and proper policy to admit it, have been mistaken. We have attached too great an importance to the open mint of France, too little to the enormous silver subscription afforded by the open mint in India and the free gold market in London. By the light of the disastrous collapse in 1893 which followed in twenty-four hours the closing of the Indian mints, we are now able to see that the prerogative of free coinage in India accounted for fully twenty-five per cent. of the gold price of silver. But for Great Britain and India then, French "bimetallism" which survived extreme fluctuations in the supply of the two metals for a hundred years, was at no time worth five years' purchase. Look closely at the perfect operation of the triangular exchange mechanism in London, Paris, Bombay before 1874, and its equilibratory action becomes clear. England was in effect just as "bimetallic" as France. The Paris mint being open equally to the merchant of London or the merchant of Lyons, thither repaired the London merchant who in trading with India, China, Chile, wished to change any fifteen and a half ounces or tons of silver for its gold equivalent. But it is easy to conceive conditions of supply which might have so saturated with silver the currency and reserves of France as to exhaust all her gold. How, then, did France replenish her gold reserves? The reply is that, through the intermediary of her own or British merchants, she threw her silver into Asia let us say into Bombay, and there exchanged it against India's staple exports which, billed to London, were a draft on the free gold market of the Bank of England. Thus any fifteen and a half ounces of silver carried to the French mint was, by way of Bombay, a demand draft on the Bank of England for an ounce of gold. It is hardly possible to conceive conditions which could permanently impair the perfect operation of this exchange triangle. How, then, did it break down? France, it may be admitted, was the culprit.

She closed her mints to silver in 1874; India continued her bimetallic subscription, namely, free coinage, until 1893; Great Britain quite superfluously still remains a free market for gold. Why she continues her subscription to a club which has long since closed its doors, and thus exposes her traders to vast frequent changes in her bank rate, her mandarins may explain. Perhaps high discount rates are profitable to her bankers. We may recall the official reply to Lockhart who when in China expressed surprise at the malformation of the smart ladies' feet. The mandarin replied that many respectable old women gain a livelihood by binding feet.

Such was the position of silver in 1873, when Germany, flushed with the successes of war, richer by a war indemnity of a thousand million dollars, proposed to throw her entire currency which was of silver on the French mints and exchange it for gold. It is possible that France may have been really alarmed as to her ability to carry through an exchange operation so unprecedented, at a time too when the annual yield of gold from the mines was less than one-quarter of our present supplies. But French statesmen have since declared that it was the demonetization of silver at that supreme moment by Congress at Washington which was for France the deciding factor in her abandonment of silver.

A short digression is now necessary to explain what it was that had taken place at Washington, and from what legislation there the Silver Question really dates. Silver, its free coinage and unlimited legal-tender, was provided for in the Constitution. Alexander Hamilton's consideration of this complex question was exhaustive, and evidenced as we should expect a master mind. He had, however at one to fifteen fixed the relation of silver to gold too high. At this rating, silver was worth three per cent. more at the American than at the French mint, and thus silver stayed in America and gold went to Paris. At that time, however, a merely theoretical objection attached to this, seeing that, as a legacy of the long wars, Great Britain, France and the thirteen revolted Colonies were all employing currencies of depreciated paper. But by 1834 the position had greatly altered; and to prevent the wholesale exportation of the American silver currency and the substitution of French gold Congress altered the ratio from one to fifteen to one to sixteen, and this, not by rais-

ing the amount of silver in the silver dollar, but by reducing the grains of gold in the gold dollar. At this rating, the position was reversed; now no one would bring silver to the American mint when by taking it to Paris he could exchange it for three per cent. more gold. So that at one to sixteen American bimetallism was merely a pious opinion, and all America's silver product was exported. Yet the moral effect must have been very great. The youthful giant was growing up to man's estate, and France knew well that if ever her very profitable task as the world's money-changer became difficult from any cause, such as Germany's wholesale demonetization of silver, she had only to slip back from her fifteen and one-half rating to America's sixteen to one, share with America the mint *agio,* and her potential of exchange would be at once doubled or trebled.

My reader of to-day must be very young if he retains no memory of the Presidential campaign of 1896. The proposal then defeated was nothing more and nothing less than to reverse an Act passed by Congress in 1873, and to restore the *status quo ante.* That was all. The constitutional prerogative of silver had been rescinded in 1873 without putting in motion the machinery required to amend the Constitution. Should it be restored? I am not concerned with the furious contention whether the United States could hold the scales evenly as France had previously held them. From the experience of June, 1893, it appeared that the divergence in the gold price of silver, with a mint open in India and a mint closed in India, was twenty-seven per cent.; so that, if the India mint had reopened in 1896, silver then thirty pence per ounce might advance to thirty-eight pence. If again supplementing India's free coinage the United States reopened its mints at one to sixteen, would that added demand for silver raise the gold price to fifty-eight pence? As to this query, I express no opinion; the issue is dead and can know in that form no resurrection. It is enough to say that high economic authority could be cited in support of either view.

But especial reasons there were why the Demonetization Act of 1873 should be reviewed, and perhaps revised. By the light of the political pyrotechnics of 1896, we know what the outcry would be if to-morrow morning the nation awakened to find that into the wordy preamble of a River and Harbor Appropriation Bill a clause had been smuggled through admitting silver

to free coinage. Yet precisely of this nature was the Demonetization Act of 1873. The American nation was no party to the change in the money of the Constitution; this vastly important change, incredible as it may seem, was not merely never debated, but it depends upon the punctuation of a sentence in an amendment to a Bill introduced by a highly respected member, Mr. Kelly, of New York—a Bill to codify the various mint laws for the public convenience. The fact must be borne in mind that the national currency at that time was inconvertible paper and that the premium on gold and silver was still sufficient to debar both metals from the mints. Such being the position, members of Congress and the public were not wide awake as to the future results of tampering with the currency laws. But the dawn of specie payments was at hand, and the prerogative of silver in the Constitution would not only have made that painful but necessary operation, Resumption, much easier, but would have given French statesmen entire confidence during that crisis which was about to require all their courage.

We first find a Bill introduced in 1872 by Mr. Kelly to codify the mint laws. A little later, this Bill being in the Senate, is amended. Section 16 of the amended Bill reads as follows:

"The silver coins of the United States shall be a dollar, a half-dollar, a quarter-dollar and dime; and the weight of the dollar shall be 384 grains, the half-dollar, quarter-dollar and dime shall be, respectively, one-half, one-quarter and one-tenth of the weight of the said dollar, which coins shall be a legal-tender at their nominal value for any amount not exceeding five dollars in any one payment."

Thus, with a full stop in place of a comma after "384 grains," the money of the Constitution would to-day be the money of the Constitution still, the silver dollar an unlimited legal-tender, but its divisions mere fractional currency. The professed purpose of the Senate amendment appears to have been to assimilate the American ratio, one to sixteen, with that of France, one to fifteen and a half. Senator Sherman said:

"The Bill proposes a silver coinage exactly the same as the French, . . . and in order to show this, wherever our silver coin shall float and we are providing that it shall float all over the world, we propose to stamp upon it instead of our eagle the fineness and weight of the coin."

Observe that Senator Sherman uses the words "proposes a silver *coinage* exactly the same as the French." To his auditors

this inevitably conveyed "a coinage of silver exactly the same as the French," and France had enjoyed the free coinage of silver for a hundred years. The nation was to discover, a little later, to its amazement, that this dollar which was to "float all over the world" was not even to be recognized as "honest money" at home; that it might neither pay debts nor taxes, nor go on deposit at a bank, and that its user violated every contract which called for legal-tender money. The genesis of this blunder who can say. The Forty-fourth Congress of the United States must have been quite in the twilight as to the whole question of silver and was thus a careless guardian of the Constitution. To advance any other view would be to reflect upon the intelligence or the probity of heroes in the American Valhalla.

Grant was President; eight months after he had signed an Act forever excluding silver from the mints, we find him writing to his friend, Mr. Cowdrey:

"I wonder that silver is not already coming into the market to supply the deficiency in the circulating medium. When it does come, and I predict that it will soon, we shall have made a rapid stride toward specie payments. . . . Silver will have become the standard of value."

General (afterwards President) Garfield said at Springfield:

"Perhaps I ought to be ashamed to say so, but the truth is that I . . . never read the Bill."

Senator Beck, of Kentucky, from whom, in 1880, the writer first heard this strange story of silver, said:

"What I complain of is that this House never knew what was in the Bill."

Senator Allison, of Iowa, said:

"When the secret history of this Bill comes to be told, it will disclose the fact that the House intended to coin both gold and silver, and intended to place both metals upon the French relation instead of our own."

Senator Voorhees, of Indiana, after declaring that he had no idea, when voting for the Bill, that it in any way affected the legal-tender status of silver, appealed to Senator Blaine:

"Did he know as Speaker of the House that the silver dollar was demonetized in the Bill?"

To which Senator Blaine made answer:

"I did not know anything that was in the Bill."

Mr. Holman, of Indiana, said:

"I have before me the record of the proceedings of this House on the passage of that Bill—a record which no man can read without being convinced that the measure and the method of its passage through the House was a colossal swindle. I assert that the measure never had the sanction of the House and does not possess the moral force of law."

Mr. Bright, of Tennessee, said:

"The Bill passed by fraud in the House, never having been printed in advance. It was passed under such circumstances that the fraud escaped the attention of some of the most watchful as well as the ablest statesmen in Congress."

Finally, let me quote Mr. Kelly, the father of the original measure thus strangely mishandled; Mr. Kelly said:

"I wish, gentlemen, to know what the Bill was; it was a Bill to reorganize the Mints, and it was passed without allusion in debate to the question of the retention or abandonment of the standard silver dollar. I was the Chairman of the Committee that reported the original Bill, and I aver upon my honor that I did not know that it proposed to drop the dollar. . . . The Committee on Coinage, who reported the original Bill, were faithful and able and scanned its provisions closely. As their organ, I reported it. Never having heard till long after its enactment of the substitution in the Senate of this section which dropped the standard dollar, I know nothing of its history. But I am prepared to say that in all the legislation of this country there is no mystery equal to the demonetization of the silver dollar of the United States. I have never found a man who could tell how it came about or why."

"In all the legislation of this country, there is no mystery equal to the demonetization of the Standard Dollar." Such is the verdict of the Chairman of the House Committee on his own Bill which demonetized the dollar, and which is chiefly responsible for a Silver Question all over the world. I may take occasion, later, to suggest such remedial legislation as would raise our rates with Asia, and, at the same time, strengthen and entrench the Gold Standard in the West.

MORETON FREWEN.

FOR SIX AMERICAN CARDINALS.

BY HUMPHREY J. DESMOND.

THE recent Papal decree, of date June 29th, 1908, remodelling the Roman Congregations, taking the United States out of the category of missionary countries and placing it in a co-ordinate place with Italy, France and Spain in the family of Christian nations, may presage other changes also. America may entertain some hope that the very inadequate representation of the Western Hemisphere in the College of Cardinals is now at last to be remedied. Ever since Pope Sixtus V, in 1586, ordained that the number of Cardinals should never exceed seventy, Italy has enjoyed almost a two-thirds preponderance in the College.

The Catholic population now under the American flag may be safely estimated at twenty-four millions, or nearly one-tenth of the entire Catholic population of the world. Numerically, America should be entitled to at least six Cardinals. For more than ten years past the American press has, at regular intervals, alluded to the probable appointment of "a second American Cardinal," and rumors as to the identity of the prelate selected for this honor have found ready publication. That nothing has thus far resulted is due to many circumstances, not the least of which may be that America (and in this she is unlike herself) in being too modest, in discounting her fair claims, has had to make way for more insistent interests.

In church government we do not complain of taxation without representation, nor is it in the ecclesiastical constitution that representation shall have some relation either to taxation, numbers or geographical area. Yet these further considerations are worthy of some regard: The United States is second in the amount of its contributions to the great missionary society of the Church — the Society for the Propagation of the Faith; it

excels all other countries but one in its contributions to the Peter's pence; and in response to these two great appeals of the Church it gives four times as much as Italy and Spain combined.

Distinction in churchmanship is usually the pathway to the dignity of the Cardinalate. This is as it should be. But the requisite distinction is more easily earned in Italy than elsewhere. Bishop Allegretti of Orvieto (the names are, of course, fictitious) persuades the Prince of Monaco, who contemplates visiting the King of Italy at Rome, that, as a Catholic sovereign, he had better not. Mgr. Allegretti is rewarded for this diplomatic triumph with a red hat. Bishop Bonnelli of Marsala displays great heroism during the cholera epidemic. All Italy applauds. Mgr. Bonnelli is recognized at the next Consistory. And so on. Very excellent; very commendable!

On the other hand, an American Archbishop adjusts the long-standing Pious-Fund controversy with Mexico, cleverly and ably, before The Hague Tribunal. Were he an Italian prelate, his achievement would undoubtedly mean that he would be a Cardinal within the year. An American Bishop goes to Rome as a member of the Taft Commission on the important business of settling the vexed Friar issue. Undoubtedly the Bishop's knowledge of conditions vastly contributed to the result achieved, which was so satisfactory to Rome and so honorable to the United States. The episode would mean a Cardinal's hat for the Bishop were he only an Italian.

In 1902, when the great anthracite-coal strike threatened the welfare of America as no other industrial conflict ever had before, President Roosevelt took the extraordinary step of appointing a Commission of three to arbitrate the matter and settle it. A distinguished American Bishop was one of these, and his presence on the Commission won for it the confidence of the workingmen involved. The Commission's labors were successful, and, had this occurred in Italy, the Bishop would now be a Cardinal.

Another illustrious American prelate for many years has been a notable figure in the public life of the United States. Rome has long known this. Ten years ago Leo XIII, wishing to prevent the Spanish-American war, called upon him for assistance,—at a time, however (after the blowing up of the "Maine"), when nothing except the interposition of Divine Providence could have postponed the inevitable conflict. That prelate's diplomatic

ability, his immense personal popularity throughout the country, altogether aside from his achievements as a churchman (which are also notable), would have made him Cardinal Secretary of State, or even Pope, if he were but an Italian.

At present, according to the latest (1909) Catholic Directory, there are fifty-five Cardinals, of whom thirty-four are Italians. Of the twenty-one Cardinals graciously allotted to the rest of the Catholic world five are Spanish or Portuguese and four French, so that the Latin countries (Italy, Spain, Portugal and France) have forty-three of the fifty-five Cardinals.

Latin preponderance in the government of the Church is not divinely prescribed; yet it has come about in the nature of things. We would not see it rudely assailed, in a spirit either of schism or nationalism. But, with all respect for things as at present constituted, we do not overlook the facts of human nature.

It might be felt as a guarantee of wiser policies if the welfare of the Church were not so overwhelmingly in the keeping of Latin prelates; if the counsels of the rest of the Catholic world were reasonably valued and more adequately sought, so that the Senate of the Church should resemble, in its fairness and fulness of representation, a Great Council of the Church. And why not?

The Cardinals are not merely called upon at long intervals to elect a new Pope. They are the advisers of the reigning Pontiff. The Cardinalate dignity is, therefore, not merely a decorative one; it has a meaning for the nations and peoples honored with a fair allotment of representation in the College. Their interests, their zeal, their spirit of Catholicity, their ideals of religion, their missionary purposes, have a weight and influence proportionate to the adequacy of their representation. Humanly speaking, the administration of the Church would gain in wisdom and power by being as well balanced and representative as possible.

The growth in importance of the College of Cardinals, and the relative decline of the episcopacy, is one of the interesting evolutions of church government. At one time, some Bishops outranked Cardinals; but, for many centuries, Cardinals have taken precedence of Bishops, Archbishops and even Patriarchs. They are not merely nobles in the great ecclesiastical empire of Christ; they outrank the secular nobility and claim an equal footing with kings and emperors, whom they address as "brothers." The influence of the episcopacy in the general government of the church

has declined in the process of time, because the Cardinals have absorbed their power. Indeed, having obtained pre-eminence over the Bishops, they have attempted in the past to abstract, for the furtherance of their own importance, from the prerogatives of the Pope; and to make the government of the Church something of an oligarchy. It required the issuance of a Papal Constitution (by Innocent III in 1695) to arrest this process. A German historian, Wenck, has written learnedly on "The Oligarchic Tendencies of the College of Cardinals." A Cardinal is not only a Senator of the Church, but often virtually a Cabinet Minister of the Pope, and the head of a department of church administration. One of his prescribed duties is to counsel the Pope on the government of the Church, and, according to some authority, even to reprove His Holiness.

Our Bishops and Abbots, or heads of religious houses, are good men, working harmoniously in the harvest field of Christ; but, should any disagreement occur between them, it is quite probable that the Abbot would always exert a stronger influence at Rome than the Bishop. A religious order is usually more potent at Rome than a Board of Archbishops. An unofficial envoy of the British Government has been credited with exerting more influence at the Vatican than the whole Irish episcopacy.*

It is only by some adequate representation in the College of Cardinals that this situation can be redressed. North America has but a single Cardinal. It is as if all the Senators and Cabinet officers of the Federal Government were selected from New England, and the great West and South were to be satisfied with postmasters and collectors of internal revenue.

There were reasons, many years ago, why Italy should have a preponderance of Cardinals. These reasons no longer exist.

1. The Pope was a temporal, as well as a spiritual, prince. His subjects naturally had a superior right, as compared with other peoples, in his election. In the earlier centuries, both the laity and clergy of Rome participated in the election of the Pope. The superior claims of locality were undisturbed even when the College of Cardinals was instituted. But the Pope has ceased *de facto* to be a temporal sovereign. It is a generation since the Pope-King actually reigned in Rome. He is now solely a spiritual potentate, and his flock is the world. This changed situation may

* See Michael Davitt's "Fall of Feudalism in Ireland," ch., xxii.

or may not be permanent. But, while it exists, its equities seem to be worth regarding: especially as it was Rome and Italy which dethroned the Pope-King.

2. Seventy years ago it might have been claimed that, if the Cardinals were distributed all over the world, it would take too long to gather a quorum of them at Rome. Electricity and steam have altered this situation. Baltimore is now nearer to Rome than Venice was a century ago. To-day it takes but a few minutes for a cable despatch from Rome to reach Baltimore, and, if necessary, Cardinal Gibbons might be walking up the steps of St. Peter's ten days after receiving the summons to the conclave.

A legislative or administrative body, composed almost wholly of men similar in race and environment, trained and educated under the political, social and economic conditions of the Latin countries, must, humanly speaking, have a different outlook from that of a body of men composed of Latins, Germans, English and Americans. And, if the affairs to be discussed and settled are world affairs rather than Italian affairs, the body that is cosmopolitan in its formation is apt to be wiser and safer.

That expression in Papal promulgations, "*urbi et orbi*,"—the city first and then the world,—denotes an inevitable point of view; the relative bigness of the Catholic universe has not been fully contemplated at times, and this has worked to the disadvantage of religion.

An eminent Catholic historian, Dr. Pastor, in his "History of the Popes since the Close of the Middle Ages," treats very fully of Leo X, in whose pontificate Martin Luther appeared and Protestantism arose. Dr. Pastor's opinion is very clearly expressed to the effect that Leo X underestimated the seriousness of the forces at work out in the rest of the Catholic world, because he allowed himself to become too much absorbed in the material and artistic development of Rome. Had his court been less exclusively Italian, had he had among his advisers a number of German "Princes of the Church," or a number of French Cardinals, who knows how much of the after-events, that spelled two centuries of bloody religious wars, might have been avoided?

To-day the Latin nations are spoken of in some quarters (whether justly or unjustly, we will not affirm) as "decadent nations." But, whether they are decadent or not, there is no question that the clerical parties in all of them are failures. These

nominally Catholic peoples have spurned the professedly Catholic parties. By some process of continuous blundering or fatuous impolicy, Catholic leadership has lost the confidence of the Latin nations. May not the question, then, naturally arise: Whether Latin Catholic leadership, having made so bad a mess of its national Catholic concerns, is pre-eminently qualified to have practically exclusive charge of international Catholic concerns? Also: Whether the safety of the Church may not require more of the counsel and assistance of the sort of Catholic leadership which has presided over the growth and prosperity of Catholicity in other lands—notably in the United States?

Not only has Latin leadership in the Church been unfortunate (we do not say wrong or mistaken) in its handling of the relationships of religion to the social and political life of the Latin nations, but there are reasons for regarding the same exclusive leadership as responsible for certain unfavorable conditions in the present state of religion. It is merely stating a fact of history to say that there have been epochs of great missionary achievement in the annals of the Church, and also other contrasting epochs characterized by general apathy and a marked recession of energy and evangelism. The apostle and the censor live in both epochs, for both have a legitimate place; but in the glorious epoch the leadership is with the apostle, while in the declining epoch power and leadership are with the censor. We are fallen somewhat upon these latter times. Italian churchmanship has not exemplified the highest type of missionary zeal.

American Catholics, for the past decade, have witnessed some of the fruits of Italy's churchmanship in the immigration from that fair land that has rolled by hundreds of thousands upon our shores. These Italian immigrants are the children of religious neglect. They actually seem to need re-Christianization. They are not merely untaught in the elementaries of religion—they are absolutely indifferent to the whole subject. Every other class of immigrant appears to want the minister of God; even the red man worships and the colored man builds churches; but the Italian immigrant has forgotten his religion, is immensely relieved that he has forgotten it, and does not wish to be reminded of it. The narrative (in the "Church Extension Magazine" for June, 1908) of a Jesuit missionary at work in an American mining-camp is typical:

"From afar I could see two flickering lamps shining feebly through the coal-dust. Approaching the men, I said in Italian to the first one, who was a Piedmontese:

"'Well, Joe, will you not give some contribution to finish the church between Berwind and Tobasco?'

"'The church!' he exclaimed. 'I am no Catholic.'

"... It was impossible to move him, and I turned to his companion, but met with no better success. We then proceeded to the next room, where the fourteen men at work were also Piedmontese."

He relates that they pelted him with coal: "Not one of the fourteen men contributed anything for the chapel."

On the other hand, he proceeds: "I must say the truth—the only ones who found no difficulty in contributing for the church were the Japanese; there were about twenty-one of these, and each gave a dollar for the good cause."

The object-lesson has impressed the American Catholic, and even an Archbishop, Mgr. Messmer of Milwaukee, has not hesitated to ascribe this condition to "the neglect of the clergy to give the people proper religious instruction." ("Here I am speaking only of Southern Italy.")

"The people are ignorant of the principles of their religion. They do not understand it; they have gone to church from habit and not from principle, and consequently they have drifted away. This at least seems the only conclusion to be derived from the condition of our Italian immigrants coming from the southern portions of Italy."*

In the later history of the Roman Empire, we see the process by which that great organization of human power was upheld, despite the forces of disintegration which had set in about Rome. Repeatedly (from Trajan to Theodosius the Great) the remedy was found by calling in victorious generals from the far frontiers to take the helm of the endangered state. New energy, better knowledge of conditions, broader policies and a revival of former glories usually ensued. In the Church of to-day, it would do no harm to call in the counsel and aid of the missionary captains out on the frontiers, or even *in partibus infidelium*—those who know the modern world where it is most modern, and those who lead in the spread of religion, somewhat as the apostles led when they went forth "to conquer the world."

HUMPHREY J. DESMOND.

* Interview in "Evening Wisconsin," April 18th, 1908.

THE DIMINISHED DOLLAR AND RAILWAY RATES.

BY H. T. NEWCOMB, OF THE BAR OF THE DISTRICT OF COLUMBIA.

AMERICAN industry is confronted by the imminent calamity of inadequate transportation facilities. For twenty years, in spite of a rapidly increasing dependence upon railways as a means of moving domestic and foreign commerce, the construction of railways has failed to keep pace with the growth of productive industry. For two decades investors have recognized the existence of superior opportunities in other fields than that of transportation; and, although capital seeking American investment has been more abundant than ever, the proportion devoted to supplying new and improved railway facilities has been so meagre that already commerce has sharply felt the pressure of inadequate means of transportation. The Interstate Commerce Commission, in their twentieth annual report, at the close of the year 1906, made the following statement:

"The extraordinary prosperity which everywhere abounds, with the high prices obtainable for all classes of commodities, have so stimulated production as to yield a volume of transportation business which far exceeds in the aggregate the carrying capacity of the railroads. In a word, the development of private industry has of late been much more rapid than the increase of railway equipment. . . .

"In some cases it is simply a lack of cars, in others insufficient tracks and motive power, in still others wholly inadequate freight-yards and terminal facilities. . . .

"Broadly speaking, it does not appear that the existing congestion, amounting in many cases to a virtual paralysis of business, results so much from insufficient car capacity . . . as from the lack of adequate tracks and motive power, delays in loading and unloading, and terminals far too small for current requirements. . . .

"A situation of such gravity calls for every remedy that can be usefully applied."

A year later the Commission found the situation less serious, but regarded the partial relief as by no means permanent. The following is from the report submitted on December 23rd, 1907:

"The general question of the provision of adequate transportation facilities unquestionably merits serious consideration by Congress. The whole problem, involving insufficient car and track capacity, congested terminals, slow train movement and other incidents, may be said to be due to the fact that the facilities of the carriers have not kept pace with the commercial growth of the country. . . .

"If business undertakings proportionately increase during future years, the railroads of the country must add to their tracks, cars and other facilities to an extent difficult to estimate. The ability of the carriers to transport traffic measures the profitable production of this vast country, with its ninety millions of people, abundant capital and practically unlimited resources. Manifestly, it is an economic waste for the farm, the mine or the factory to put labor and capital into the production of commodities which cannot be transported to market with reasonable despatch. If the present output cannot in many instances be transported except after ruinous delays, it is not reasonable to presume that capital will readily seek investment in new undertakings. It may conservatively be stated that the inadequacy of transportation facilities is little less than alarming; that its continuation may place an arbitrary limit upon the future productivity of the land, and that the solution of the difficult financial and physical problems involved is worthy the most earnest thought and effort of all who believe in the full development of our country and the largest opportunity for its people."

The startling condition thus graphically portrayed is none the less alarming because a period of business depression, which all believe to be temporary, has, for the time being, removed the pressure which so plainly disclosed the urgent need of better and more extensive means for moving traffic. The reaction certain to occur among a resourceful, progressive and energetic people began promptly; and it is already evident that it cannot be long before the conditions of 1906 and 1907 are repeated, perhaps with augmented intensity. It is to be borne in mind that the shortage of transportation facilities was not, like the panic of 1907, a matter of sudden development. The slackening pace of railway construction long ago began to lag behind the growth of general industry. The following table shows the increase of the United States in population, wealth, foreign commerce and railway mileage from 1867 to 1887, and from 1887 to 1907, and

discloses the fact that during the first half of the last forty years the American people, though much smaller in numbers and possessed of far less wealth than during the second half, were able and willing to construct 36.45 per cent. more miles of railway:

	Population.	Wealth.	Value of foreign commerce.	Miles of railway.
1867.....	36,211,000	$25,895,847,400	$879,165,307	39,050
1887.....	58,680,000	58,618,563,700	1,408,502,979	149,214
1907.....	85,817,239	121,044,390,774	3,315,272,503	229,951
Increase, 1867 to 1887;				
Amount....	22,469,000	32,722,716,300	529,337,672	110,164
Per cent....	62.05	126.36	60.21	282.11
Increase, 1887 to 1907;				
Amount....	27,137,239	62,425,827,074	1,906,769,524	80,737
Per cent....	46.25	106.49	135.38	54.11

It is not unsuggestive, in connection with the foregoing figures, that during the first two decades interstate railways were unrestricted by Congressional enactments, and that during the second period they were subject to progressively increasing control under Interstate Commerce laws. It is sharply significant that a population numbering, at the beginning of the first period, but 36,211,000 should build 110,164 miles of railway in twenty years, though one of 58,680,000 should build but 80,737 miles in the next period of equal duration. From 1867 to 1887, the people of America built a mile of railway for each 329 of their number in 1867; from 1887 to 1907 they built a mile for each 727 in 1887. Every $10,000,000 of the people's wealth in 1887 included twenty-five miles of railway; by 1907 the ratio had been reduced to nineteen miles to each $10,000,000 of wealth. The number of miles of railway in 1887 to each $10,000,000 of foreign commerce was 1,059; in 1907 it was 694. From 1867 to 1887 the railway mileage of the United States was increased at the rate of 5,508 miles a year; from 1887 to 1907 the annual rate of increase was 4,037 miles, though wealth and industry had more than doubled and population had increased by two-thirds. These comparisons would be meaningless if the supply of railway facilities was ample or nearly ample, but recent reports of the Interstate Commerce Commission have shown that this is not the case.

The real cause it is not difficult to discover. It is a commonplace of economics that demand creates supply; but the kind of demand that is meant is defined as "effective" demand—that

is to say, desire to purchase coupled with willingness and ability to pay a price equal to the cost of the last necessary increment of the supply. The effective demand for railway transportation has been restricted by legislation and its potency limited by agitation, and by an apparent condition of public sentiment which many investors, with proverbial timidity, have construed as threatening its further statutory restriction. The effective demand which could create an adequate supply of railway facilities must be expressed in terms of rates for moving passengers and property; and, consequently, the degree in which demand falls short of satisfactory effectiveness is itself a deficiency in the rates warranted by law and by public sentiment. Permission to charge adequately for services performed is thus seen to be the essential prerequisite of complete ability to perform the services sought by industries that are actually dependent upon railway transportation. The Chairman of the Interstate Commerce Commission, the Hon. Martin A. Knapp, out of the fulness of his long and rich experience in the supervision of railway business and the earnest study of railway problems, has recently expressed this view in terms so convincing in their logic, so plain in their intimations and so fair and reasonable, that his words ought to silence opposition to the action they suggest. He said:

"The question of railroad rates, that is to say, of railroad revenues, involves a great deal more than the direct interest of shippers or shareholders. Broadly speaking, it is a question of national policy second to none in its economic importance.

"Leaving out of account the comparatively small number of actual shippers and security-holders, I suggest three aspects of the question which are of general and intense public concern. The country, as a whole, needs and must have, if it is to grow and prosper as it ought, railway earnings sufficient for three things:

"(1) The payment of liberal wages to an adequate number of competent men . . . in a service which is all the while becoming more exacting, and on which the safety and convenience of the public constantly depend. . . .

"(2) A reliable return to railway capital sufficient to induce the construction without delay of hundreds and thousands of miles of new railroads to further develop the country and meet the transportation demands of the immediate future. . . . Must we not, in the public interest, make railroad construction so attractive and profitable that the necessary capital will be forthcoming? Otherwise, must we not come measurably to a standstill and face a future of comparative stagnation?

"(3) The betterment of existing lines so as to greatly augment their

serviceableness to the public, as can in varying degree be done everywhere, without any increase of capitalization that can be fairly avoided."

No one whose interest runs not contrary to the general welfare can profit from railway rates which fail fairly to compensate either labor or capital, or to supply an adequate incentive to further and needed railway construction, or to provide fully for that liberal maintenance of railway property which amounts to its steady and ultimately extensive improvement.

Current railway rates have been rendered seriously inadequate by the insidious operation of a force that, unrecognized at the beginning and not as yet fully understood by many, has already compelled readjustments in the wages of all classes of labor and in the prices of nearly all commodities and services save those supplied by the railways. This force is the steady and extensive decline in the value of gold which has been in uninterrupted progress since the year 1897. The American dollar, still consisting of the same number of grains of the same degree of fineness, has diminished in value since 1897 as actually as though an Act of Congress in that year had reduced its 25.8 grains to 16.8, and in about the same proportion. It will be worth while to devote a little attention to the nature and extent of this change.

When the practice of barter gave place to interchanges effected by means of a circulating medium, civilization took a long step forward. Though the utilization of money, whether in the form of wampum, cattle, tobacco, more or less definite promises to pay, or coined metal, vastly simplified the process of exchange, it so far complicated economic theory as to give rise to a long series of misapprehensions. Hence, in America, greenbackism, free-silver-sixteen-to-oneism and current misunderstanding of the recent movement of railway rates. Men use money to buy commodities; they also use commodities to buy money. Both parties to a transaction of purchase and sale are at once buyers and sellers; if A buys a bushel of wheat from B for a dollar, B at the same time buys a dollar from A for a bushel of wheat. If at some subsequent time A pays B two dollars for a bushel of wheat the price of wheat has gone up; but, B having bought two dollars with one bushel of wheat, the cost of dollars, at least to B, has gone down.

The United States Bureau of Labor, through compilations based upon records of prices originated by Carroll D. Wright and

continued by his successor, Charles P. Neill, has obtained data which greatly assist in measuring the fluctuations in the value of money. These data, presented in the form of "index numbers," show the average cost of the same quantities of articles of different classes during successive periods. The following table is based upon Bulletin No. 75 (March, 1908):

Class of Articles.	Cost of the same quantities of articles of each class. 1897.	1907.	Per cent. increase.
Farm products	$0.85	$1.37	61.2
Food	.88	1.18	34.1
Cloths and clothing	.91	1.27	39.6
Fuel and lighting	.96	1.35	40.6
Metals and implements	.87	1.43	64.4
Lumber and building materials	.90	1.47	63.3
Drugs and chemicals	.94	1.10	17.0
House-furnishing goods	.90	1.18	31.1
Miscellaneous	.92	1.27	38.0
Average	.90	1.30	44.4

The foregoing shows that, as to the articles represented, one dollar would buy as much in 1897 as $1.44 would buy in 1907. Therefore, as to these articles, a dollar was worth in 1907 only as much as seventy cents was worth in 1897. The data in the table also show that, as to the producers of these articles, $1.44 was as easily procured in 1907 as was one dollar in 1897. If the list included rent, personal services, amusements and transportation, the resulting average would more adequately disclose just what has occurred; but, even without these elements, it greatly illuminates the situation. Concerning wages, another bulletin of the Bureau of Labor (No. 77, July, 1908) shows that between 1897 and 1907 the average wages per hour of the average employee advanced in the proportion of 996 to 1,288 or 29.3 per cent. So the average wage-earner obtained $1.29 as easily in 1907 as he could one dollar in 1897.

Sane men value money only for what it will purchase, and railways are, in this respect, *ex necessitate rei,* sane. The railway dollar of to-day is a greatly diminished dollar, as compared with its predecessors of previous years, when it is used to recompense railway labor or to buy railway materials and supplies; but, unlike the dollar of most producers and of nearly all wage-earners, the difficulty of obtaining it has in no degree diminished. Railways receive less for identical services than ten years ago.

Out of every dollar earned by the railways of the United States, in excess of the sums required to pay interest on their debts and taxes, during the year 1907, the latest year for which data have been published by the Interstate Commerce Commission, forty-nine cents was paid out to railway employees in wages or salaries. The total of these payments, in 1907, was $1,072,386,427; and from July 1st, 1898, to June 30th, 1907, it was $7,316,083,633. The following official figures show how railway wages have advanced and how the dollar used to pay wages has diminished:

	Wages per day.		
	1897.	1907.	Per cent. increase.
Station agents	$1.73	$2.05	18.5
Other stationmen	1.62	1.78	9.9
Enginemen	3.65	4.30	17.8
Firemen	2.05	2.54	23.9
Conductors	3.07	3.69	20.2
Other trainmen	1.90	2.54	33.7
Machinists	2.23	2.87	28.7
Carpenters	2.01	2.40	19.4
Other shopmen	1.71	2.06	20.5
Section foremen	1.70	1.90	11.8
Other trackmen	1.16	1.46	25.9
Switchmen, flagmen and watchmen	1.72	1.87	8.7
Telegraph operators and despatchers	1.90	2.26	18.9
Employees, account floating equipment	1.86	2,27	22.0
All other employees and laborers	1.64	1.92	17.1
Average	2.00	2.39	19.5

It appears from the foregoing that the railways paid, in 1907, substantially $1.20 to the average employee for service which cost only one dollar in 1897; in other words, every railway dollar of 1907 intended for the payment of wages had diminished, as compared with its fellow of 1897, to about eighty-four cents. The real diminution was greater; for the day's service of 1907 was less, on the average, than the day's service of ten years before.

Eighteen cents, out of every dollar of earnings left to the railways in 1907, after paying taxes, interest and wages, was used for the purchase of fuel for locomotives, the sum so expended being $200,261,975. In 1897, the average dollar expended for fuel was sufficient to move traffic producing $17.25 in gross receipts; in 1907 this had been reduced to $12.93. Between 1897 and 1907 bituminous coal advanced, on the average, from $1.80 to $2.80 per ton and anthracite from $3.50 to $4.50; thus the dollar used to buy bituminous coal had diminished to sixty-four cents and that used for anthracite to seventy-eight cents.

Steel rails, which cost $18.75 per ton in 1897, cost $28.00 in 1907; locomotives, which cost $10,181 and $11,026, advanced to $14,111 and $15,734, respectively; all classes of cars became much more costly; lumber, ties and metalwork of all kinds greatly increased in price—in fact, wherever there was a purchase to be made, it was found that the money to make it with was composed of diminished dollars. In this respect, the experience of the railways was in no wise different from any other employer of labor or purchaser of commodities. The especial hardship to the railways, which they share with a few salaried employees and those whose incomes are based upon contracts made before the depreciation of the dollar began or was anticipated, grows out of the fact that the price of that which they have to sell—viz., transportation—has not been adjusted to the changed value of the money in which they are paid. Railway rates, even as measured by diminished dollars, are lower now than they were ten years ago; when the depreciation in the value of these dollars is considered, it appears that the real reduction in railway rates that has taken place in the last decade has exceeded all safe and reasonable or proper bounds.

The figures in the second and third columns below show average rates as reported by the Interstate Commerce Commission; those in the last two columns are based upon the assumption that the present value of a dollar in the hands of a railway is equal to eighty cents in 1897—probably an excessive estimate:

	Average rates in mills.			Decrease in real rates from 1897 to 1907.
	1897.	1907. Nominal.	1907. Real.*	Per cent.
Per passenger per mile.....	20.22	20.14	16.11	20.3
Per ton of freight per mile..	7.98	7.59	6.07	24.0

Thus, on the very moderate estimate of a twenty-per-cent. diminution in the value of the money with which passenger-tickets are bought and freight bills paid, it appears that there has been, in ten years, an average reduction of one-fifth in railway passenger-rates, and of nearly one-quarter in railway freight-rates. The enormous extent of these reductions is apparent when it is considered that in one year the transportation performed by the railways of the United States was equal to moving 27,718,554,030 passengers and 236,601,390,103 tons of freight one mile.

* Calculated on the basis of money of equal value to that received in 1897.

One mill per passenger and per ton of freight per mile carried, for these aggregates, would amount to $264,319,944, a sum roughly equal to one-half of the annual payment to the owners of all railway bonds and shares now owned by all classes of investors.

Few realize how very small are the sums received by railways when proportioned to the services they perform. To move a mass weighing two thousand pounds a distance of a mile involves a stupendous struggle in overcoming natural forces; yet (excluding weight of equipment) this task is performed some two hundred and forty billion times in the course of a year by American railways. And some railways are so situated, with regard to the sources of traffic and the kinds of freight which they can obtain, that they are regularly forced to depend upon receiving scarcely more than an average rate of half a cent per ton of freight per mile for their services; a few obtain even less.

The cost of moving a bushel of wheat one thousand miles at the average rate applied to this commodity when shipped in carload quantities over nine of the largest railways in different sections of the United States, 5.62 mills per ton per mile, would be 16.86 cents; while, at the average rate of the same companies, a bale of cotton, weighing five hundred pounds, would move an equal distance for $3.14. The average bushel of wheat was worth 87.4 cents on the farm of the producer in 1907, and the average bale of cotton was worth $52.00; so that the former could be moved one thousand miles for 19.3 per cent of its farm value and the latter for 6.0 per cent. Many railways would receive much less for moving either commodity this distance. The corresponding prices of 1897 for wheat and cotton were 80.8 cents and $33.00, respectively; so that, at the same rates as those in force in 1907, it required 20.9 per cent. of its value to move wheat and 9.5 per cent. of its value to move cotton one thousand miles. At the average for grain, a bushel of corn would move one thousand miles for 16.216 cents, and the farm value of corn was 26.3 cents per bushel in 1897 and 51.6 cents in 1907. These, however, are all articles of low value in proportion to their bulk and weight; and, in spite of the low rates, it is inevitable that they should pay a relatively larger proportion of their value for transportation than articles of other classes. An exceedingly valuable table prepared by Mr. C. C. McCain, Chairman of the Trunk Line Association, and one of the

foremost American authorities on rates and rate-making, shows that but a small proportion of the value of articles of common consumption is really absorbed by the cost of railway transportation. According to this table, an advance of ten cents per one hundred pounds in the rate on men's boots and shoes would amount to but one-third of one cent per pair; while an advance of eight cents per hundred pounds in the rate on cotton goods would amount to only one cent on each one hundred yards. The present rate on men's shoes is but two and one-half cents per pair, while that on cotton goods is less than three-quarters of one mill per yard. The rate on clothing is 5.6 cents per suit; and, if it were doubled, which no one suggests, the additional cost of a suit of clothes, if every cent of the increased rate were paid by the wearer, would amount to less than six cents.

The present situation is untenable. As has been shown, fair and adequate railway rates are essential, not merely to the prosperity of the railways, but to that of the whole country and all its industries; there has been an unsolicited and unnecessary reduction from the reasonable rates of 1897, a reduction due to causes so subtle in their operation that the process and its consequences passed for a time unnoticed; the moderate advance sufficient to offset, in part at least, the evil results of this decline would not be noticed by most consumers and would but slightly affect any. This course would so distribute the cost of the readjustment that has been made absolutely necessary by the great change in the value of money as to lay no severe burden upon any individual or any industry. The alternative is too painful for other than enforced consideration. An increase of three or four per cent. in average rates would distribute a gain of about $50,000,000 over two hundred and thirty billion ton-miles of freight transportation; to gain the same amount by a reduction in wages would throw the whole burden upon about one and one-half millions of employees and their families. Doubtless the effort to impose this burden upon a restricted class would be resisted, and before resorting to it every possible effort to adjust the loss in some other way would be made. One direction toward which such an effort might tend would parallel what actually happened when railways were under similar pressure due to the industrial depression of 1893. Professor Henry C. Adams, Statistician to the Interstate Commerce Commission, then reported a reduction

in the number of railway employees from 873,602 to 779,608, and one in operating expenses from $827,921,299 to $731,414,-322. He discusses them in part as follows:

"The reduction has been universal in all classes of employees, but greatest in the case of employees engaged in maintaining the character of the roadway, and least in employees engaged in conducting transportation.

". . . The economy practised by the railways must result in deterioration of roadway. . . . The number of section foremen in 1894 is about the same as in 1893, but the number of trackmen in 1894 is 150,711 as against 180,154 in 1893. The reduction in the number of laborers and employees not otherwise specified was 19,890. What the effect of this is likely to be upon the character of track and consequent safety of travel need not be suggested. . . .

". . . The amount expended . . . for the maintenance of way and structures was $143,669,386, a decrease, as compared with 1893, of $25,-588,990, which is equivalent to a percentage decrease of 15.12 per cent. The expenditure for maintenance of equipment was $112,894,526, which shows, as compared with the previous year, a decrease of $23,981,383, a decrease of 17.52 per cent. The amount expended for conducting transportation during the year was $394,513,035, a decrease of $40,952,540 as compared with the previous year, a decrease equal to 9.40 per cent. The amount charged to the account of general expenses was $79,771,497, which shows a decrease of $5,777,340, a decrease of 6.76 per cent. . . .

"This indicates in another manner that relatively greater saving was obtained in maintenance of structures and equipment than in conducting transportation or in the general management of the business."—"Statistics of Railways in the United States," 1894, pp. 35, 36, 65, 66.

The foregoing is only another way of saying that sudden and compulsory economy in this field is substantially certain to be at the expense of the property—that is, through the destruction of capital. This would be bad enough, through its plain implication as to the ultimate quality of the service should the process be long continued, even were present railway facilities adequate to the needs of this great industrial nation. But it has already been made clear that they are not adequate. At a moderate estimate, a sum equal to at least two-thirds of the total cash cost of the railways of the United States must be expended on their improvement and extension within the next twenty years, if they are to meet the requirements of progressive American industry. Already capital has ceased to flow readily into railway investments; deterred somewhat by an apparently adverse sentiment on the part of a portion of the public that is, perhaps, not quite

so influential as is often too hastily assumed, and diverted by the newly acquired attractiveness to the general investor of other industrial fields not formerly so freely bidding for his support. Capital borrowed by American railways in 1897 cost on the average 3.90 per cent. *per annum,* while that borrowed in 1907 cost 4.62 per cent., and that obtained during the first seven months of 1908 cost 5.04 per cent. The rise from 1897 to 1907 was 18.5 per cent., and here too the diminished dollar was worth only as much as eighty-four cents in the earlier year. In 1907 and the first seven months of 1908, the railways of this country borrowed no less than $144,829,970 at six per cent. *per annum* or higher, though during the previous ten years, 1897 to 1906, they had paid that rate on but $32,679,354 out of loans aggregating $4,491,706,968. In 1907 and to the end of July, 1908, they obtained but $423,000 at less than four per cent., although in the years 1897 to 1906, inclusive, they had borrowed $1,088,717,180 at from three to three and three-fourths per cent. *per annum.* As the railways have no funds out of which to pay interest, except those earned by the services they perform, it is inevitable that the cost of the conditions which produce these higher interest-rates must ultimately be borne by the travelling and shipping public. Unless it is desired that the conditions of 1907 and 1908 should continue or be repeated, perhaps in more acute form, it is essential that there should be undisputed opportunity to obtain fairly remunerative rates, and that the propriety of the changes necessary to restore a reasonable level of rates should be frankly accepted. Otherwise those upon whom the evolution of methods of industrial association has imposed the tremendous task of paying a just and liberal scale of wages to the highly intelligent and capable railway employees who perform such serious and responsible functions in the public service, and, at the same time, of maintaining the great properties in their charge in safe, efficient and satisfactory condition, and, within ten or twenty years, of obtaining from seven to eight billions of dollars for the improvement and extension of those properties, will fail in their endeavor. And if they fail the calamity of their failure will fall not upon them alone, but upon every worker in America.

H. T. Newcomb.

CHILDREN AND TEXTILES.

A RECORD OF EXPERIENCE.

BY FLORENCE L. SANVILLE, EXECUTIVE SECRETARY OF THE CONSUMERS' LEAGUE OF PHILADELPHIA.

OVER a year has passed since a well-known writer, dying, left her written message on what she considered a matter of burning importance in public economy to-day—the welfare of wage-earning children, expressed as the "child-labor problem," as it exists in the South. It is greatly to be regretted that Miss Magruder should have left as her final word, an almost unqualified defence of the labor of young children in factories.

With an associate, I have given some weeks to work as a "mill-hand" in various factories, confining my efforts to one of the great textile industries. My object in doing this has been to question at closer range certain convictions that have been growing during five years of study and work in social and industrial matters. By this method I hoped to become more naturally and closely acquainted with the girls and children whose daily work took them into the mills, than would have been possible without the removal of the artificial barriers that have been raised between hand-workers and head-workers.

Pennsylvania happens to be the State to which my study has been largely confined. The variety of her great industries, and the existence of a long-settled native population together with a tremendous proportion of foreign workers, give to Pennsylvania some characteristics common to almost any other industrial State one may choose. The industries which best characterize her, however, are perhaps her mining, soft and hard; her textiles —knit, silk and woollen goods, as well as carpets and rugs; and her glass manufactures—all of them child-employing industries.

The regulation of the employment of children in industry is comprised in two sets of laws, and is under the jurisdiction of two separate departments—the Departments of Mine Inspection and of Factory Inspection. The mining law forbids the employment of boys under twelve years in bituminous mines; under fourteen years about anthracite mines; and under sixteen in anthracite mines. No female is allowed to work in or about any mine.

The factory law prohibits the employment of children under fourteen in any industrial establishment; limits the hours of work for children under sixteen to twelve in a day, and sixty in a week; and forbids work after nine at night to all such children, except boys employed in certain exempted industries. So far as the apparent aim of the law is concerned, Pennsylvania seems thus to have established a fourteen-year-old limit for her wage-earning children—except for the curiously neglected boys in the soft-coal mines. This entire aim, however, is completely thwarted by the neglect of the State to require some evidence of a child's age at the time of his application for a working certificate. As a consequence, it is doubtful if Pennsylvania is restraining her children under fourteen from work to a much greater extent than the Southern States, which, Tennessee excepted, all legally allow work at an earlier age than does the Keystone State.

As this article goes to press, there is being considered by the Legislature of Pennsylvania a measure for the regulation of Child Labor, which, if enacted, will radically change conditions in the State. The most important points in this measure include an adequate system of issuing work certificates for children upon proper evidence of age, which will insure their being actually fourteen years old; the raising of the age limit in bituminous mines from twelve to fourteen years; the establishment of a ten-hour day and fifty-eight-hour week for women and children; the prohibition of night-work after nine o'clock for children under sixteen, and after ten o'clock for girls under eighteen.

It is curious that the form of unbelief most characteristic of a sceptic on this subject is his doubt of what is the most obvious fact of all—*viz.*, that there *are* actually in Pennsylvania, as in the Southern States, a vast number of children under the age of fourteen at work in factories and mills and workshops. That doubt should be the one (in the entire matter) most easily removed; if the doubter distrusts the statements of those who have

seen, and know, nothing would be easier than for him to post himself outside the door of a sufficient number of mills at the closing hour, and to take note of what he sees. My associate and I have seen in certain factories in Pennsylvania dozens of children who by no stretch of the imagination could be considered fourteen—and sometimes not even twelve—years old. The older girls working by our side have said, in talking of the children, "Oh, they say they're *fourteen,* but of course they're not!"

The children themselves often have said the same thing of their young companions; or, by some slip, they have shown conclusively that they themselves were below the legal working-age, either at that time or at the time when they began to work. In Olyphant, a little town in the anthracite coal region, with a *total* school enrollment of 1,147, the Superintendent of Schools recently took out of the silk-mills and coal-breakers seventy-eight children in a single month who were erroneously supposed to be fourteen years of age, and at work accordingly. Evidences of this fact might be detailed indefinitely.

I am convinced that what is fundamentally true of the effect of mill environment and mill work on children in Pennsylvania, is equally true of the children of the South. The interior arrangement of the mills; the occupation of the children, carrying bobbins, whether for silk or cotton; the general atmosphere, physical and moral, of the average factory, whether North or South, must have essentially the same effect on all children subjected to the influence of these conditions. A difference in hours of work would be of considerable importance; but Pennsylvania does not vary to a great extent from the Southern States in this matter. The Northern State has gone farther in her prohibition of night-work than most of the Southern communities have done; and in her limitation of the number of hours allowed weekly she is more strict than many of these States.

Can we not, therefore, assume that the average Southern mill offers no greater "privileges and advantages" to its child-workers, such as are ascribed to it by Miss Magruder, than the average mill of the North? As I ask this question, I am faced by the basic argument of Miss Magruder's paper—upon which she affirms that the whole question hangs—the "alternative." I quote in full her opinion on the subject. She says:

"If the children employed in these mills would, otherwise, be living

in decent homes, going to school, eating wholesome and sufficient food, getting some sort of moral, mental and manual training, then, without question, mill-work for children deserves to be decried as a flagrant social evil. As it is, the alternative presented to these particular children is to live in dilapidated houses, wear wretched clothing and eat food which is inadequate in quantity and abominable in quality, and to have the constant association of other children in whom poverty and idleness have fostered vice, exactly as they would do in themselves. . . . Sad as it is that, at the age intended by nature for the mental and physical development of the young, children should be forced into work and surroundings unfavorable to these, it is a sadder sight to see children growing up in the state of mental and physical starvation which is too often the lot of the poor whites in the South."

Whether in Alabama or Pennsylvania, God forbid that we should deliberately agree to the existence of one evil, as the accepted alternative for another! Whither would such a policy, generally followed, lead us? And what interest should we be more loath to submit to so pernicious a treatment than the welfare of our children? We do not calmly advise a community to choose between probable typhoid from contaminated water, and possible death, through abstaining from the use of water; but we discuss cleaning up the supply. Are we to believe that the Southern whites—an agricultural people of native American stock—are so lost that the sole remedy is the immolation of their illiterate children to the grinding monotony of mill work?

Miss Magruder lightened the gloomy picture somewhat by ascribing definite educational advantages to mill work. It seems to me a very doubtful question whether mill life does teach children "to be clean in their dress, decent in their language, orderly and punctual in their habits, and how to use their mental and physical faculties," as she suggests. I should like to discuss, in order, these possible benefits.

There are numerous factories which present an uplifting example of well-ordered tidiness that many of the children have been wholly unaccustomed to in their own homes; and, where a painstaking management provides such surroundings, certain benefits must, no doubt, accrue to the workers, big and little; the rougher and more uncouth girls and boys are unconsciously influenced by the unaccustomed cleanliness of their environment. But such are very rare exceptions. In the very great majority of mills the children are not clean in their dress. Many of them

wear clothing more torn, stained and dirty than much that I have seen in the poorest city street.

One universal trait of cleanliness I have noticed, however, among all the mill children in whose company I have worked. With the first blow of the noon whistle, there is a rush for the sink and a scrubbing of grimy hands before dinner—which may, of course, be due equally to a desire for cleanliness, and to the normal childish desire to splash about with other children.

Decency in language I could never find fostered in any way by mill influence. As a rule, talking while at work is frowned upon, so that conversation of any sort is a surreptitious undertaking which abruptly ceases at first glimpse of the foreman, and is therefore quite uncontrolled by him. But when the dash for the air takes place at the sound of the whistle, the language is loud and coarse in the extreme. I shall not soon forget the sounds which emerged from a group of children—some clearly not more than twelve, if so much—at the close of a day's work in a miserably appointed factory. My unaccustomed ear did not detect the sound of the whistle above the noise of the machinery; but the rush for the door told me that the day's work was over—and by the time I had reached the outer air the group of children had already gathered, and the pent-up energy of an eleven-hour day (with one-half hour's intermission at noon) found vent in a flood of rough talk and profanity such as I hope never again to hear issue from young lips.

Just as doubtful is the value of mill training in developing "order and punctuality in habits, and the use of mental and physical faculties." Even in the better class of factories, it is a question whether these qualities are really developed. Miss Jane Addams says, "We naturally associate a factory with orderly, productive action; but similarity of action without identical thought and co-operative intelligence is coercion, not order."* In many factories, as the last echo of the morning whistle dies, the main doors are barred, and the child who is late is either docked his wages, roundly scolded for tardiness or excluded altogether for the day—as the case may be. The windows of a large number—perhaps the majority—of mills, are painted over their lower half; and when I have asked a fellow-worker why, the answer has been

* "Newer Ideals of Peace," p. 173.

invariably, "So's we don't waste time lookin' out." In summer, only the upper half of these windows is opened. Obedience to the sadly prevalent rule against sitting down is generally insured by the absence of seats. But, when the foreman is safely beyond vision, a stolen rest is secured for a moment, on the floor, on a heap of empty spools, on the projecting edge of a frame—anything that may serve the need of overtaxed nature.

Is this method of securing conformity to rules anything else than force? Is it comparable with the educative discipline and co-operation of a school?

If, then, I am compelled to doubt whether mill work offers any distinct educational advantages to children, have I any reason to believe that positive harm is wrought by it? Here again I draw my conclusions almost entirely from my own observations and experiences. By "children," in this discussion, I mean all workers under sixteen; and that which applies to children over fourteen is, obviously, of still greater weight for the unacknowledged multitudes under that age, now working in our industries.

The physical effect of work upon a growing boy or girl depends, of course, upon the nature of the work, and the conditions under which it is performed. I do not wish to overlook establishments which make every provision for the welfare of their employees, young and old. But, even in such surroundings, I am deeply convinced that work which might be without detriment for a short working-day is distinctly harmful when carried to the legal limit of sixty hours a week. And, in mills of lower grade, incalculable harm is done both by the conditions provided and by the work required.

As an adequate description of the widely varying sanitary conditions in the mills where I have worked would require far too much space, I shall speak only in the most general terms. Usually there is a relatively large floor-space for the number of employees, and this should insure a plentiful supply of wholesome air. But very frequently the windows are kept closed—a custom often required by the nature of the material—and no other means of ventilation is substituted. When to the resultant heaviness of the air is added the nauseating odors arising from many kinds of raw textile material, and, above all, the foul atmosphere from the unspeakable "sanitation" of some mills, the effect must be harmful in the extreme. A certain mill in which I worked has the

bulk of its spinning done in the cellar. In summer, when I saw it, the cement floor was dry, and the cool dampness of the place was doubtless grateful to the workers. But I had a mental vision of that uncovered, cold floor and low brick ceiling in winter. I was not surprised to be told by one of the girls that "Lots of the girls has consumption here; sometimes they're awful sick."

The type of work required from the children—especially the girls—is sometimes far beyond their strength. One very common variety of such work in silk-mills is that imposed upon the little "lacers," who tie with pieces of interwoven tape the skeins of silk which have come from the reels. In better-regulated factories, the reels—movable structures of wood and iron, about six feet long, and weighing anywhere from fifteen to forty-five pounds—are carried to and from the frames on which they turn by grown youths employed for the purpose. But I have seen not only the older girls who work on the reels, but the little girls who do the lacing, struggling under the weight of these awkward burdens as a regular part of their daily task. Of course, these were machines of the lighter type; one of the heavier variety I tried in vain even to lift, in another factory where men were employed to do this work. The logical outcome of such work was made very clear to me by a girl who had been employed in one factory for eleven years. In talking over work together, she said to me: "I used to be on the reels. But I was hurt inside by having to carry the reels, and had to stop work. So, when I come back, the doctor wouldn't let me do it no more."

For the average child, the beginning of a wage-earning career in a factory marks the end of the stage of mental acquisitiveness. The child under fourteen has not, by any chance, reached the point at which the period of active receptivity, or of the desire for original expression, can safely be brought to a stop. Whatever other benefits might be ascribed to mill work, opportunity for this variety of mental growth could not be justly included by its most ardent advocate. England attempts a compromise, by requiring for her children under fourteen a given number of hours of schooling for every corresponding number of hours of work. But it is open to grave doubt whether a child of twelve can profit by a period of instruction after five hours of the clattering confinement of a mill.

Fourteen years seem to have been generally accepted here as

the age at which a child may legitimately take up the burden of breadwinning. I do not know whether this division is a more or less arbitrary one, or is fixed upon some psychological basis. But I think that the average child who has attended school regularly up to the age of fourteen, has at his command a certain mental equipment which some kinds of work may well increase and develop. For the factory child, however, this is scarcely ever true; what further development is coming to him must come through a well-directed surplus of energy outside of work hours. Too long hours, or too exhausting work, preclude such a surplus. The girls in an industrial school in a small mining town showed, according to the testimony of their teacher, an utter incapacity for self-help, initiative or order. All had been working—some of them since early childhood—sixty hours a week.

Even the more advanced varieties of work performed by children in a textile mill require no thought, little but purely mechanical skill, and are of a deadening monotony. A child will continue to "tie up ends" while her eyes are apparently roving about the room, or she is engaged in surreptitious conversation with her nearest neighbor. Concentrated thought is no more developed there than are the faculties of true order and self-control.

The physical and mental welfare of mill children is thus affected, I think, by influences which are inherent in the system and the work, irrespective, largely, of the individual establishment. The action of mill life upon the moral nature of the child is, of course, still more dependent upon the factory in which he is employed. It is quite reasonable to suppose that the child of a sordid, ill-kept home may catch his first glimpse of decency and cleanliness or receive his first contact with a higher type of companion, within the carefully supervised precincts of a well-conducted mill. On the other hand, the dangers of moral contamination to which young mill workers are sometimes exposed, are serious in the extreme. I shall not soon forget a noon-hour in the gloomy and ill-kept spinning-room of a Philadelphia textile mill, a "playtime," that was utilized by the young boys and girls —the merest children, who were not allowed out-of-doors—for the coarsest and most promiscuous actions and talk—all utterly without supervision. In this respect this mill was no exception.

Regular night-work for girls of sixteen, which is legal in Pennsylvania, is occasionally, but no longer commonly, found in

the silk industry. A few years ago, girls were much more generally employed on the night shift. But so shocking was the testimony given by some of these young girls, during the proceedings of the Anthracite Coal Commission, in 1905, that through force of public opinion the custom has been generally abandoned.

A recent example of the possible dangers involved for children in a mill environment was given me by the Superintendent of the Organized Charities of a large town in Pennsylvania. Three little girls who had worked in the silk-mill of a neighboring small mining community had been led astray by a grown companion in the mill, and enticed into an evil resort in close proximity to it. The ages of the children ranged from fifteen years down, and all three now are in the House of Refuge—an institution in which an undue proportion of girls from the textile industry are, for some reason, enrolled. The citation of this occurrence as an example of evil wrought might be considered unfair on the ground that the tragedy might have happened to these children had they been at school. But the atmosphere of the schoolroom, the supervision of the teacher, and the companionship of children of like age, would all have militated against the ruin of these children, just as powerfully as the influences of the mill—added to the proximity of the evil resort—worked toward the catastrophe.

In this instance, as in most others, where the moral, physical or mental welfare of a child has been sacrificed to the heedless aggrandizement of an industry, the community is obliged to pay the price. Miss Addams tells of her conversation with a tramp, who had begun work in a New England textile mill sixteen years ago, at an earlier age than the law there now allows. She says:

> "He told his tale with all simplicity; and, as he made a motion with his hand, he said, 'I done that for sixteen years.' I give the words as he gave them. 'At last I was sick in bed for two or three weeks with a fever, and when I crawled out, I made up my mind that I would rather go to hell than to go back to that mill.' . . . The physician has made a diagnosis of general debility. The man is not fit for steady work. He has been whipped in the battle of life, and is spent prematurely because he began prematurely."*

And on another page,† she points very conclusively to the futility of lavishing so great care and expense upon a public-school system, if it is to be followed by lack of interest and responsibility

* "Newer Ideals of Peace," p. 158. † *Ib.*, pp. 166-7.

in the child's welfare the instant he leaves the schoolroom. Is it wise to allow a couple of unregulated, exploited years, at a most critical period of a child's development, to undermine the work which a community has, with so great pains, done for him during the preceding eight years? Whether the penalty takes the form of a commitment to a House of Refuge, a bed in a free sanatorium for tuberculosis, or an arrest for vagrancy, ill-regulated child-labor is ultimately a direct burden upon the shoulders of the public. And for whose profit? From this point of view, can there be anywhere sufficient gain to justify the risk?

The ever-recurrent argument of parental poverty as a reason for child-labor is one which would require a full paper for adequate discussion, rather than a closing paragraph. I am therefore inclined to dispose of the whole matter by throwing out this one suggestion: No one comes into closer or more personal contact with the pitiable thrusts and attendant evils of poverty than do the men and women who are engaged in relief work or are living in social settlements. Yet none of these men or women has ever suggested that the miseries of poverty which beset them on all sides should be allayed by what appears to so many the most obvious means—the earnings of the young children of the family. On the contrary, one finds among them the names of the very persons who have been among the pioneers or the warmest advocates of the child-labor reform movement—Miss Wald and Mrs. Florence Kelley, of the Nurses' Settlement in New York; Mr. Woods, of South End House, Boston; Miss Richmond, of the Society for Organizing Charity, Philadelphia; Miss Addams, of Hull House, Chicago. If child-labor were wise; if it were an admissible, as it is an obvious, method of helping to solve some of the most difficult practical problems which confront them, is it reasonable to suppose that these leaders in social work would with one accord repudiate it? The actual extent of true poverty as an immediate cause of child-labor, moreover, has been proved by investigation, in one community after another, to have been greatly exaggerated.* And in the great number of cases where this plea of poverty has proved to be merely parental ignorance or negligence, or worse, the continued dependence of a father upon the efforts of his young children tends to foster in him habits of laziness and degeneracy.

* See "The Annals of the American Academy of Social and Political Science," January, 1907, pp. 1-9.

In cases of true need, brought about by the death or disability of the breadwinner, temporary relief to the mother is now given in many communities, until her child has reached the proper age for wage-earning.

If, then, there is much that is harmful, and little of profit to child, parent or community in the early or ill-regulated labor of children, are we to believe that it is necessary for the health and maintenance of industry? Conversation with employers and foremen, my own observations and the already recorded effects of more rigid child-labor regulations upon industries to which they have especially applied—all lead me to believe that young children are accepted in a factory as the nearest-at-hand, most readily obtained, as well as the cheapest, variety of labor; but that much time and material are wasted, and the ultimate value of the output lowered, by these undeveloped laborers.

I remember a little girl of perhaps twelve years old, who, with another much older girl, worked in a "corridor" adjacent to mine. I watched the child all morning, but could not discover that she did anything but follow listlessly after her companion —brightening only when the disappearance of the "forelady" offered a safe chance for conversation. I finally asked my "learner" (vernacular for "teacher," always) what she was doing—and she said, with a contemptuous shrug: "Oh—her! She's been here three weeks nearly, and can't even tie the knot. She ain't tryin' to, either—I don't know what they're keeping her on for. I'd slap her good, and turn her out—I would!"

And when they do learn? Not very long ago there was a strike among the weavers of a large textile mill in Philadelphia. Frequent meetings with the girls revealed to me that the strike was caused directly by a change of policy which should make the weavers responsible for certain defects in the finished product, defects which were the result of imperfect preparation of the yarn for the loom, but which the weavers were supposed to discover. "If," exclaimed one of the girls, indignantly—and of this I took special heed—"we were given anyway decent material, there wouldn't be any trouble. But they've got such little kids down there [indicating the spinning-rooms] to do the work for almost nothing, that it comes to us full of mistakes. And now they want us to pay for 'that!" Economy, no less than justice, is thwarted by such a system as this!

I recall the complaints of several foremen, on the impossibility of obtaining good results from the younger hands. Especially I remember one night foreman—a fine fellow, he seemed, too—who bewailed the custom of employing children on the night shift. "It's so hard to keep them awake," he complained—adding as a sympathetic afterthought: "It's hard on the poor kids, too. The nights do seem awful long to them."

Agents and superintendents are quoted as saying that they would prefer employing older workers, but that they cannot obtain them. This is not surprising; without going into the economic effects of child-labor, it is obvious that the rate of wages established by the employment of children is an insuperable obstacle to the acceptance of their positions by adults. Moreover, it is undeniably true that some industries deliberately beckon to children. An accepted authority, whose name I am not at liberty to give, told me recently that the unquestionable reason for the establishment of the silk-throwing industry in the anthracite coal-fields of Pennsylvania was not, as I had imagined, the existence of a cheap and plentiful supply of fuel, but, rather, the great supply of cheap and unrestricted labor, represented by the little girls of the families of the mining population.

The practical results of careful child-labor regulation upon a child-employing industry are shown in the manufacture of glass. The census figures record that, from 1900 to 1905, Illinois, Ohio and New York, with comparatively stringent child-labor laws, reported a far greater increase in capital invested, the number of wage-earners, and the value of the product, than did either New Jersey or Pennsylvania, with their much looser regulations for working children.

The ultimate good of an industry can never be served by those who are wearied to loathing of their task, or are too unintelligent to grasp its significance. Intelligent interest in a worker must take the place of listlessness or dislike, if the results of his toil are to show anything of beauty and charm. To expect such interest from untrained minds and tired young bodies is too much. And the removal of this enforced, unnatural toil would thus work toward the true betterment of an industry, even while it is bringing about that still greater and more vital result—the enrichment of the life-blood of our nation.

FLORENCE L. SANVILLE.

OUR INTEREST IN A UNITED AMERICA.

BY L. S. ROWE, PH.D., LL.D., PROFESSOR OF POLITICAL SCIENCE, UNIVERSITY OF PENNSYLVANIA.

SOME months after the close of the last Pan-American Conference, I received from a friend in Europe a collection of articles from French, Italian, Spanish and German reviews, commenting on the results of the Conference and emphasizing the bearing of these conferences on the political and commercial interests of Continental Europe. The significant feature of these comments was the note of warning which they sounded, pointing out to Europe that these conferences mark the successive steps in the development of unity of thought and action of the American Republics, and that the far-seeing policy inaugurated by Mr. Blaine would result in an united America—a final and insurmountable obstacle to the extension of European influence in the Western Hemisphere.

In addition, however, to this feeling of alarm, there ran through all these comments a note of surprise and wondering inquiry as to the causes of the growing spirit of fraternal cooperation between the United States and the Latin-American republics. Are not the language, traditions, antecedents, intellectual nourishment and commercial contact of the Latin-American republics distinctively European? was a constantly recurring question. Have the people of the United States made any real effort to understand the point of view of the Latin-American peoples, and have they shown any effective desire to be brought into closer touch with them? Why, therefore, should the Latin-American republics concern themselves with the United States? How shall we explain the growth of that spirit of fraternal cooperation which is gathering strength with each year? These questions were raised, but no attempt at solution was offered. A

few of the writers went so far as to assume that the movement was temporary, artificial and devoid of solid basis.

The answer lies deeper than in national or racial antecedents—namely, in the similarity of physical environment and in the social conditions of North and South America. There is the primary and fundamental fact of a new land and a young people breaking from the traditions of the mother country, and emancipating itself from inherited ideas and traditional modes of thought. The history of the republics of this continent is largely a record of the struggle between inherited traditions and the new ideals of life that develop in a new continent. The political ideas brought from Spain and Portugal have been out of harmony with the conditions of life in a new country, and have been the chief cause of the unrest that characterized the early history of the Latin-American republics. It is well for us not to forget that in this country, we passed through many struggles before the process of adaptation was even fairly under way; and it should not be a matter for surprise that our sister republics should pass through a like process of growth. The analogies between the political development of the United States and that of the republics of South America are more numerous than would appear at first glance. Starting with totally different social antecedents, they are developing political institutions strikingly similar.

This slow, persistent and all-pervading influence of physical environment and of the social conditions of a newly settled country, combined with the spirit of freedom transmitted by the founders of our American democracies, has gradually reduced the chasm between the political institutions of North and South America, until to-day we find the most striking similarity between our constitutional system and that of our sister republics. The influence which the Constitution of the United States has had in fostering the growth of republican institutions in other quarters of the globe should be a source of profound satisfaction to every citizen, as well as an inspiration to hold high and unassailable the principles for which that Constitution stands.

It seems almost incredible that we should have remained so long unconscious of the influence we have been, and are still, exerting in South America; but it is simply an indication of a fact that is becoming more apparent with each day—namely,

that our political influence has outrun our intellectual grasp. We have become a great and powerful nation by reason of extraordinary natural resources; but our mental vision has not kept pace with our international influence. We still regard ourselves as the politically isolated nation of 1823, but vaguely conscious of the important part that we are playing in the world's affairs. During the last ten years, it is true, the American people have been passing through a great educative process; but in thought and feeling the country still lags far behind its commercial and political power.

No better illustration of this fact could be found than in our attitude toward the republics of Latin America. To the average American, the southern section of the continent is still an unknown land. Much of our knowledge is drawn from fiction rather than from fact. The future of these countries is a matter of the vaguest speculation, permitting every prophet to give his fancy unbridled rein. We begin to understand how far astray lesser lights have gone when we hear one of the keenest of British observers say:*

"The future of South America is admittedly a subject for speculation as obscure as it is fascinating. It may be, and probably will be, bloody, tangled and convulsive."

During the last century, which we devoted to the working out of our fundamental domestic problems, this ignorance of our neighbors did not involve any serious consequences. In fact, it was rather fortunate both for them and for us that our attitude was purely negative, that it was restricted to a warning to Europe that she must permit the republics of this continent to work out their destinies unhampered. With the opening years of the twentieth century, however, the far-reaching influence of the change in our political position as a nation becomes apparent. Having advanced to the dignity of a World Power, we must accept its responsibilities. The national indifference to everything outside the borders of the United States, which was an element of strength during the nineteenth century, becomes a source of weakness in the twentieth. Citizenship of the United States involves an obligation to our own country and to the larger influence which we are wielding in the world's affairs.

* Sydney Brooks: "National Review," March, 1908.

It is, therefore, not merely desirable that we should face the South American situation with a full knowledge of the facts; it becomes a real national obligation to do so. Furthermore, it is important that we should realize that this clearer perception of the significance of South American growth concerns us quite as deeply as any of the Latin-American republics. We have so long been accustomed to look upon them with a kind of patronizing sympathy that it is difficult for us now to realize that we have to deal with nations whose support will mean much to us in securing the general recognition of those principles of national freedom and international justice for which our country has so long struggled. Throughout the southern continent we are in the presence of vigorous nations-in-the-making. They are one and all real national entities, as tenacious of their national purpose as the United States. In total disregard of the theories of European writers that they are incapable of self-government, they are slowly, but with firmness and wisdom, working out their political salvation, and they stand to-day as real Powers with which the other nations of the earth must reckon.

The progress of South America is probably best exemplified in the remarkable advance of her cities. The capital of Brazil, a city of a million inhabitants, is undergoing a transformation which may well serve as a lesson to many of the cities of the United States. Forty millions of dollars are being expended on harbor works which will make Rio Janeiro one of the greatest ports of the American continent. Avenues are being laid out on a scale which rival the reconstruction of Paris during the Second Empire. A water-supply and system of drainage are being completed that will equal anything of which North American cities can boast.

In the arrangement of streets and avenues, Buenos Ayres occupies one of the first places amongst the cities of the American continent. Her great docks and warehouses may well be the envy of New York or Philadelphia. Her main avenue rivals any of the boulevards of Paris. For the purpose of duly celebrating, in 1910, the centenary of Argentine independence, new avenues are being planned on a scale of magnificence heretofore unknown to municipal engineering. The pride of the people in their city, the civic devotion to its welfare, the keen interest in every question affecting the improvement of city life, are charac-

teristics which one does not find common to all communities in the United States.

Montevideo, the capital of Uruguay, occupies not only a strategic commercial position, but one of such natural beauty that it can be compared only with the situation of New York. The great harbor works which are now approaching completion will bring its shipping facilities into harmony with its natural position. The awakening to modern commercial necessities is transforming the city into one of the great commercial centres of the Atlantic seaboard.

Crossing the Andes, we find the Chilian capital a flourishing city, whose natural position is one of surpassing beauty and whose commercial importance is increasing with each year. Here, again, the spirit of improvement is making itself felt in every department of the city's activity—new avenues are being laid out, a thoroughly modern system of drainage is approaching completion, the water-supply is second to none on the American continent. In a word, no effort is being spared to place the city in the vanguard of municipal improvement.

The capital of Peru combines the subtle attraction of colonial Spain with all the advantages of modern city building. The Government has shown rare good judgment in preserving the buildings of historic value; but, in this desire to preserve the old, the requirements of modern city life have not been lost sight of. In the beautiful public-school buildings, in the numerous recreation centres, in the broad outlying avenues and in the great boulevards now in course of construction, the modern, progressive, energetic Peru finds its most distinct expression.

Finally, for picturesqueness of situation, the capital of Bolivia —La Paz—outrivals her sister cities of Europe and America. Situated at an elevation of 12,500 feet above the sea, surrounded by volcanoes nearly 23,000 feet high, the city seems to transplant us to some other planet. In spite of its remoteness from all the ordinary trade routes, it is growing in commercial importance; and with the completion of the railway lines now in course of construction it will command new and larger markets.

In our estimate of these countries, we have been misled by the fact that every election riot is heralded as a revolution, thus creating the belief that instability and unrest are characteristics of their civilization. We are apt at times to forget the lawless-

ness of some of our early frontier communities and the long series of political difficulties through which they passed before reaching the position of well-ordered communities. Many of the constitutional deadlocks which occur in South America, and which are interpreted as indications of a lack of political capacity on the part of the people, in reality mark the steps in the adaptation of the system of government to the needs of the country.

For more than a century Europe looked upon us through spectacles similar to those through which we now look upon South America. Our judgment of South America is to-day as far from the truth as was Europe's opinion of us fifty years ago, and our awakening will bring as many surprises as did hers.

Just as in the United States, the most serious problems confronting the South American republics are no longer political, but social. The fact that the laboring classes are coming to a consciousness of power involves a severe strain upon their social fabric. The situation is complicated in exactly the same way as it has been in our Southern States, by long years of educational neglect. The awakening to the necessity of a more thoroughly organized system of public education is the best indication of the progressive spirit that is now pervading South America.

In the solution of these social, economic and educational problems arising out of the conditions of an advancing democracy, the experience of the United States will be of greatest value to the Latin-American republics, for they may profit by our successes as well as by our failures. Our system of public education with its more practical preparation for actual life is better adapted to the conditions existing in these republics than are the transplanted French or German methods. The wide-spread desire to introduce our common-school organization and methods is explained by the increasing appreciation of the fact that our system of public education has enabled us to pass through the successive stages of our social development without undermining social order.

This is but the barest outline of the many ways in which our experience may be of service to the developing democracies of America, and it is in this spirit of service that we must conceive of our relation with them. Nor is the relation as one-sided as it appears at first glance. We have heretofore thought of South America solely in terms of its commercial possibilities. The

great moral and intellectual movements that have stirred this portion of the continent have entirely escaped our attention. Prejudice arises out of ignorance, and in prejudice feelings of personal, national and racial antagonism take their root.

Even the utilization of the great commercial possibilities of these countries depends to a very large extent upon the development of closer moral and intellectual ties with them. In this respect, the experience of Great Britain should ever be a warning to us. She first recognized the commercial and industrial possibilities of South America. English capital built the great railway lines and English merchants for a long time enjoyed a practical monopoly of South American commerce; but Great Britain never attempted to establish with these countries any of those stronger bonds of common feeling which mean so much for the maintenance of close relations. In his dealings with the people, the Englishman has held himself at arm's length. In every large city of South America there is a British colony, a British social circle, and a full measure of British prejudice. The Briton has ever remained a stranger to the South American and the South American a stranger to the Briton. The people of these countries are conscious of the obligations which they owe to British capital, but this consciousness is not accompanied by any feeling of attachment to the Englishman resident among them. His lack of adaptability, his seeming unwillingness or inability to learn Spanish, and his ill-disguised attitude of superiority have checked the growth of British influence. It is this fact that explains the failure of Great Britain to leave any permanent impress on the civilization of a vast continent, in which she had an unrivalled opportunity. Her power in commerce and industry, where she long enjoyed a monopoly, is on the decline, and it is but a question of time when she will no longer be a factor in the economic life of these republics. It seems a harsh word to say, but one cannot avoid seeing the word "failure" written across Great Britain's relations with South America.

Deeply significant as are the negative lessons of Great Britain's experience, the more positive lessons of Germany's policy are no less instructive. The German Government and the German people have spared no effort to understand the South American nations and to place at their disposal the best results of German

thought and activity. With a broad and statesmanlike view, Germany has been ever ready to furnish South America with scientists for her universities, with teachers for her schools, with specialists in administrative, technical and sanitary problems, and she is now reaping the benefit of this far-seeing plan. In a word, German culture has come into organic touch with the life of these nations, serving them just as it has served us.

The intellectual and moral ties thus formed have contributed considerably toward fostering closer commercial relations. German companies seeking franchises and concessions in South America are looked upon with favor, for their courteous treatment of the people wins for them the support of public opinion. German capital, in consequence, is making serious inroads into a field which was at one time exclusively British.

Our own lack of steamship lines and banking facilities with South America, the failure of our manufacturers to adapt their goods to the tastes of the Latin-American peoples, and their refusal to conform to the conditions of South American trade, are traceable, in part at least, to our failure to appreciate the steady and sure advance of these republics to vigorous and independent national life. It is true that until recently the development of our own industrial resources has demanded all our surplus capital, but we have now reached a point at which we can no longer afford to neglect the opportunities which these markets offer.

The people of South America are keenly alive to the fact that throughout the United States there exists this ignorance as to their affairs. They hear of our exchange of professors with European universities, they know of the migration of our students to German, French and English institutions, they hear of the millions spent by American tourists in European travel; and they wonderingly inquire as to the causes of our indifference.

We must give a more positive interpretation and content to our relations with the republics of South America, which shall express itself in a systematic effort to establish greater unity of thought and action between the northern and southern sections of the hemisphere. One of the most important agencies contributing towards this end is the Bureau of American Republics, which, under the able management of its present distinguished director, is rapidly fulfilling the ideals of its founders.

A heavy obligation also rests upon our universities. They must inculcate in a larger proportion of our college students a clearer appreciation of the significance and content of the Spanish-American civilization. For the larger opportunities of business life we need an ever-increasing proportion of men who know the Spanish language. It will soon be quite as important for the North American to learn Spanish as it is for the South American to learn English. But a knowledge of the Spanish language, important as it is, is not sufficient. It must be supplemented by a study of the economic conditions, political organization and literary achievements of the people of Latin America. The record is one that is well worth the serious attention of every student. Our universities must furthermore inculcate in the student a broader intellectual sympathy; a readiness to understand a people and a civilization different from our own—in a word, that ability to weigh and estimate moral as well as material values which is the true indication of culture.

Close and organic relations must be established between the universities of North and South America, between scientific organizations and commercial associations. Furthermore, no effort must be spared to attract a larger number of students from these countries to our universities through the establishment of a comprehensive system of scholarships for Latin-American students.

Again, whenever a request is made for teachers to organize South American educational institutions, we must be prepared to supply men and women, not only thoroughly trained, but capable of adapting our educational methods to local needs. Every request for technical experts to solve engineering, agricultural and sanitary problems must be met.

In this way, and in this way alone, will we prepare the way for the growth of a common continental opinion without which unity of continental action is impossible. The Pan-American conferences are making important contributions to this end. With each recurring conference, unity of action is extended over a larger number of subjects, and over subjects of increasing importance. We have at present but a dim perception of the power of this unity of action in the councils of the nations; its full import will only be known to the generations to come.

It is well for us to remember that, in the solution of the great world-problems now looming portentous in the Pacific, the action

of the republics of this continent, if united, will be decisive. Whether or not the ultimate settlement of these problems shall involve a life and death struggle, it is evident that there will be thrown into the balance questions affecting not merely the welfare of the nations of the Far East, but the very existence of our Western civilization. There will of necessity be a struggle, unless an equilibrium of power is established sufficiently balanced to withstand any designs of the European states, or any monopolistic control by an Asiatic nation. A united America will assure such an equilibrium; for, in the ultimate outcome the will of America must have a deciding voice.

The choice so often put to us by a group of none too friendly European critics, to turn our attention either to South America or to the Far East, is entirely too narrow. We can best subserve our own interests as well as the interests of civilization in the Far East by cultivating unity of thought and action on the American continent. If we do not succeed in attaining this unity we shall find ourselves severely handicapped in the councils of the nations.

The commercial development of the Atlantic seaboard and of the country east of the Rocky Mountains has so completely absorbed our attention that we have failed to grasp the full import of our position as a Power in the Pacific. The spectacular voyage of the Atlantic squadron to the Pacific has been the first event to impress upon the American people that our obligations in the Pacific are becoming more important and more pressing than those in the Atlantic. With the opening of the Panama Canal we shall see clearly what is now but dimly perceived. Our interest in the Pacific is shared by an important group of South American countries, and any policy that we adopt is certain to affect them. It is none too early, therefore, to begin to prepare for unity of action.

It may be difficult, it may be well-nigh impossible, to foresee the ultimate results of this continental policy; but of one thing we may rest assured—that the influence of the United States will in large measure determine whether, as Professor Wendell has so eloquently expressed it, "at this moment of crescent democratic force, our world is passing into the dusk of a new barbarism or into the dawn of a new dispensation."

L. S. Rowe.

THE FUTURE OF INDIA.

BY CHARLES F. THWING, LL.D., PRESIDENT OF WESTERN RESERVE UNIVERSITY AND ADELBERT COLLEGE, CLEVELAND.

THE political future of India will be determined by her present. If, in that future, one thing be more settled and evident than another, it is that England will continue to rule. England will be able to rule. No force, either within or without, is emerging which can expel her. Another Mutiny, as Lord Roberts has indicated in his Memoirs, is practically impossible.

Not only is England able to rule, but also England desires to rule. India represents the Empire; and England is not prepared to begin to disintegrate the Empire. India, moreover, represents a worthy field of service for England's sons, and such fields she needs constantly to seek. It is also not to be forgotten that English capital is invested in large amounts in India. Such capital demands governmental protection.

In her heart of hearts, furthermore, India knows that she cannot spare England. Much of that which is best in modern India is of English origin. The educational system, the transportation systems, both on water and land, the irrigation system on a large scale, are English in their beginning and in their administration. The political union of India has been promoted by England. If England were to leave to-morrow, the political union would dissolve both in fact and in idea on the day following. Not only would the union dissolve, but scores of separate states and provinces would fly at each other's throat. Wars, in comparison with which the guerilla conflicts of the Thirty Years' War would be civilization, would immediately spring up. The Mohammedans would arm against the Hindus, and the Hindus against the Mohammedans. If the more than two hundred millions of Hindus could defeat the sixty millions of Mohammedans,—which is

doubtful,—these Hindus would in time turn against each other. The thoughtful and sober people of India, therefore, know, as the radical people do not, that the coming of England to India, fraught as that coming has been with many and dire evils, is yet the best thing that ever happened to their country; and they also know that England's leaving India could not be other than the worst thing.

The larger part of the world also knows it is best for the world that England should retain her Indian Empire. Of course certain individual nations do not concur in such a judgment. Russia, when she has settled her own internal questions, would be glad to thrust her Siberia across Thibet and Afghanistan down to the Indian Ocean and the Bay of Bengal. Germany wishes to lay her governmental, as she is laying her commercial, hand upon a large piece of the East. But with these two, although important, exceptions the world knows that it is best for civilization for England to stay in India.

The political future of India, therefore, seems to promise a continuation of her political present. That political future is perhaps the brightest of all the elements that constitute India's national power. Life is secure; property is safe; taxation is not high and is equitable. Every East-Indian knows that he is as sure of receiving justice from English courts and English rule as through any government the mind of man has ever devised.

The economic future of India, however, opens a prospect less favorable than the political. About three-quarters of the laborers of India are agricultural. These farmers are small holders; their farms are of small acreage. After many centuries of croppings of the soil—croppings made not once, but three or four times a year—this soil has in many parts become barren. It is said that in two hundred and fifty years the average yield per acre has lessened by one-half. The manure of cattle seldom goes back upon the land. It is collected, dried and used as fuel. Cotton seed, too, an excellent fertilizer, it is found more profitable to export than to feed to cattle. The attempt, too, to introduce modern tools of agriculture has largely failed, either because of their cost, or because of the inability of the farmer to use them properly, or to keep them in repair. As one who knows and loves India said to me, "A steel plough is better than a wooden stick, but what can an Indian farmer do when the point of a steel

plough breaks?" The village has no blacksmith who can mend it. The farming class lacks enterprise. Methods are antiquated. Resources are small. A general air of helplessness seems to rest upon the whole farming community.

The industrial community exhibits a condition of marked improvements and of marked declines in recent years. In the last ten years the following changes have occurred in more than a dozen industries:

	1895	1904.
Cotton-mills	148	203
Jute-mills	28	38
Woollen-mills	5	6
Cotton ginning, cleaning and press mills	610	951
Flour-mills	72	42
Rice-mills	87	127
Sugar factories	247	28
Silk filatures	89	75
Silk-mills	28	11
Tanneries	60	35
Oil-mills	163	112
Lace factories	138	128
Iron and brass foundries	64	89
Indigo factories	8,225	422*

The most significant of all the industrial developments is seen in the cotton industry. Says a wise observer and interpreter of industrial and other conditions in India:

"Some forty years ago we had only thirteen cotton-mills in all India. The number rose to forty-seven in 1876, to ninety-five in 1886, to 155 in 1895 and to 203 in 1904; and to-day the number of our cotton-mills is still larger. We had less than 4,000 power-looms forty years ago: the number was over 47,000 in 1904. We had less than 3,000,000 spindles forty years ago: the number exceeded 5,000,000 in 1904. These are insignificant figures compared with the huge cotton industry of Lancashire; but they show that we have made steady progress, and that we may fairly hope to make greater progress in the future if we are true to our aims and our own interests. Our annual produce of yarn is nearly 600,000,000 pounds in weight; and it is interesting to note that out of this total out-turn about thirty per cent. is used, mostly by our hand-loom weavers."†

Socially, this change in the cotton and other industries is as evil as industrially it is advantageous. For it is important to preserve and to promote the domestic industries of this vast nation. Among all these domestic industries, the hand-loom is per-

* From "Baroda," in the "Ruling Chiefs of India" Series—No. 1, page 75.

† *Ib.*, p. 72.

haps the most important tool. A hand-loom has recently been invented by Churchill, of Ahmadnagar, which gives promise of being a great rival of the power loom. But India is still importing about 2,000,000,000 of yards of cotton cloth every year, and making only about 600,000,000. The value of her imports of manufactured cotton goods is twice the value of her exports of raw cotton.

The industrial future of any country depends largely upon the supply of coal and iron. The amount of coal, of iron-ore and of other minerals hidden beneath the brown sands of India is still unknown. But the amount is probably not large. At present the greater share of Indian coal, about seven-eighths, is mined in Bengal; but the amount taken out in all India in a year is only four per cent. of that produced in England. India still depends upon England for those iron and steel goods into the making of which coal so largely enters.

Indian industries have been and are primarily domestic. The question is seriously imminent whether the industrial movement of the world, producing goods through large factories in immense quantities, is to overwhelm the home industries. At the Industrial Conference held in Calcutta in December, 1906, the Gækwar of Baroda said in the inaugural address:

"We know, however, that the laborers who can possibly be employed in mills and factories form only an insignificant proportion of the industrial population of India. Very much the larger portion of that industrial population is engaged in indigenous industries carried on in village homes and bazaars. India is, and will always remain, a country of cottage industries. Where hundreds of thousands can work in mills and factories, millions and tens of millions work in their own huts; and the idea of greatly improving the condition of the laborers of India merely by adding to mills and factories is only possible for those who form their opinion six thousand miles away. No, gentlemen; any comprehensive plan of improving the condition of our industrial classes must seek to help the dwellers in cottages. It is the humble weavers in towns and villages, the poor braziers and coppersmiths working in their sheds, the resourceless potters and ironsmiths and carpenters who follow their ancestral vocations in their ancestral homes, who form the main portion of the industrial population and who demand our sympathy and help. It is they (more than the agriculturists, or the mill and factory laborers) that are most impoverished in these days and are the first victims to famines; and if your Swadeshi movement has brought some relief to these obscure and unnoticed millions and tens of millions in India, as I have reason to believe it has done to a perceptible ex-

tent, if it has created a larger demand for their manufactures, widened the sphere of their labors and brought some light to their dark and cheerless homes, then the movement, gentlemen, has my cordial sympathy. Help and encourage the large industries, but foster and help also the humbler industries in which tens of millions of village artisans are engaged and the people of India, as well as those who are engaged in the work of administration, will bless your work."*

Words well spoken are these. For in most parts of the world the large manufacturer has supplanted or suppressed the small. If this condition shall come to obtain in India, the economic fate of the nation is indeed dark.

The future of any great people, or small too, is wrapped up largely also in her social system. The social system of India is founded upon caste; and with the system of caste is specially involved the condition of women. The evils of caste are so evil and so complex that no one should presume to interpret them who has not been brought up in their atmosphere. Regarding caste, I venture to quote from the address given at the eighteenth session of the Indian National Social Conference, held at Bombay in December, 1904, also by the Gækwar of Baroda. The Gækwar says:

"The evils of caste cover the whole range of social life. It hampers the life of the individual with a vast number of petty rules and observances which have no meaning. It cripples him in his relations with his family, in his marriage, in the education of his children and especially in his life. It weakens the economic position by attempting to confine him to particular trades, by preventing him from learning the culture of the West and by giving him an exaggerated view of his knowledge and importance. It cripples his professional life by increasing distrust, treachery and jealousy, hampering a free use of others' abilities, and ruins his social life by increasing exclusiveness, restricting the opportunities of social intercourse and preventing that intellectual development on which the prosperity of any class most depends. In the wider spheres of life, in municipal or local affairs, it destroys all hope of local patriotism, of work for the common good, by thrusting forward the interest of the caste as opposed to those of the community and by making combined efforts for the common good exceedingly difficult. But its most serious offence is its effect on national life and national unity. It intensifies local dissensions and diverse interests, and obscures great national ideals and interests which should be those of every caste and people, and renders the country disunited and incapable of improving its defects or of availing itself of the advantages which it should gain from contact with the civilization of the West. It robs us of our humanity by insisting on the degradation of some of our fellow men who

* "Baroda," in the "Ruling Chiefs of India" Series—No. 1, page 76.

are separated from us by no more than the accident of birth. It prevents the noble and charitable impulses which have done so much for the improvement and mutual benefit of European society. It prevents our making the most of all the various abilities of our diverse communities; it diminishes all our emotional activities and intellectual resources. Again it is the most conservative element in our society and the steady enemy to all reform. Every reformer who has endeavored to secure the advance of our society has been driven out of it by the operation of caste. By its rigidity, it preserves ignorant superstitions and clings to the past, while it does nothing to make those inevitable changes which nature is ever pressing on us more easy and more possible."*

That caste is still powerful, not only in general society, but even among Indian Christians, is sadly evident. One of the most philosophic and eminent of American clergymen living in India, the Rev. Dr. J. P. Jones, of Madura, declares that the church in India is "a very much caste-ridden church." He says in detail:

"And yet such is the fact. Very few, if any, native Christians free themselves from this bondage when they enter the Christian fold. They still think that their life must be socially controlled by the Hindu caste system.

"They freely shake off the trammels of idolatry and of Hindu ceremonial. They even learn to forget many of the ancestral superstitions. But the caste ties remain largely unrelaxed. Their social ties and affinities in the Christian church are largely circumscribed by their Hindu social antecedents.

"And thus the infant Indian Church, save at certain mission centres, is still a very much caste-ridden church.

"1. Its local sympathies are aligned along Hindu-made social strata.

"2. Marriages are contracted almost invariably on strict Hindu caste lines. Mixed or intercaste marriages are still the exception.

"3. Social pleasures are largely confined to those of the same caste.

"4. Christian congregations are limited to a considerable extent to members of one caste. Members of other castes have little idea of joining them; nor have the Christians often any desire to gather them into their Christian fold.

"5. In the choice and employment of catechists and pastors for the care of village churches and congregations their caste antecedents can rarely, if ever, be ignored. And thus every missionary is much handicapped in the delicate work of securing the best spiritual agency for his field."†

Woman in India is chiefly, or only, a wife and a mother. Each condition represents a period of servitude. The servitude of the

* "Baroda," in the "Ruling Chiefs of India" Series—No. 1, pages 52 and 53.

† "The Indian Church and Caste." By the Rev. J. P. Jones, D.D., page 2.

wife follows the servitude of the daughter, and is in turn succeeded by the servitude of the widow to her son in case she become a widow. She is married early. The nuptials may be made long before she reaches her teens. Her first child is born also early, and is born to her in an ignorance so great that it usually dies. But the following multiplication of children is so rapid that each comes into life small and puny, and comes into a home in which food is scarce, work heavy and comforts few or none. Yet polygamy is not uncommon, and the remarriage of a widow is prohibited. Yet to the husband is given the right of putting away his wife if she fail to bear children, or even for causes less serious, and possibly not under her immediate control. *Purdah* secludes women from society. Young do women become old, and young do they die.

The religion of a nation is at once a chief cause and result of its civilization. The religion of India is religions. Three-fourths of the people are adherents of Hinduism. The remaining quarter is largely composed of Mohammedans, with Christians and Parsees following in smaller proportions. Hinduism, in its larger relations, is a great system of faith. But in its interpretations made by the people it is a conglomeration of irrational beliefs and blind superstitions. It is a sad fact that in the history of religions the less worthy elements of belief seem to make the stronger appeals to the great body of adherents. The esoteric faith is quite unlike the exoteric and far superior to it. No one can visit the temples in Benares, in which a sacred bull and sacred cows convert marble halls into filthy stables, and in which worshippers as devout as they are irrational perform rites which cannot be described; and no one can sail of a morning along the Ganges and witness the drinking of the filthy water by the pilgrims without being stirred in heart and mind unto shame and disgust. If, however, one turn to the better of the sacred books of these same unconsciously shameless idolaters, or if one confer in person with the priests of these faiths, one is impressed by the nobility of the ethical principles, and by the truth of the theistic beliefs which they profess. It must be said, however, that ninety-nine one-hundredths of the Hindu people of India accept a faith without reasoning, follow its teachings without questioning, and obey its severest commands without flinching. Under such conditions lie no, or only slight, hopes for the upbuilding of a great nation.

The force of most general application for the promotion of the highest elements of civilization in India is educational. Education meets with great difficulties, however. Chief is the indifference of the people, and next their poverty. Apathy prevents parents from wishing to educate their children, and poverty prevents their giving them an education. Poverty renders the support of all schools difficult, and prompts parents to put their children to work early in order to increase the small income of the family. The education of girls labors, in addition, under the peculiar difficulties of seclusion, caste and early marriage. Education should be made, however, by gradual processes compulsory and also free, despite the heavy addition resulting to the tax budget. As the Gækwar of Baroda has said:

"Great and far-reaching changes might be made in the educational system of the country, and I am of opinion that no ultimate solution of our problem will be reached until schools have been provided in every village, and education is taken to the very threshold of the people; until, in fact, education, at least in its primary grades, has been made free and compulsory throughout the land."*

The manual and technical side of education should receive as great a development as the primary side. The general value of such an education is hardly less than its industrial worth. For scientific training would give the Indian a discipline in definite and direct processes of thinking, of which he stands in dire need. However great may be the value attached to linguistic and philosophic studies, this value is less great for the Indian youth at the present time than the value of scientific training. Herein lies one hope for India. If technical and scientific education can be pursued by hundreds of thousands instead of by thousands, as it is at present, India would be lifted, enlarged, enriched. To quote again from the Gækwar of Baroda:

"I must confess that it is my recent visit to Europe and to America that has impressed me most with the immense importance of technical education in promoting the industries of nations. I may state without exaggeration that education has undergone a complete revolution in the West within the present generation. The great armaments of the Western nations, their vast armies and navies, do not receive greater attention and greater solicitude in the present day than that education in industrial pursuit which befits them for the keener struggle which is continually going on among nations for industrial and manufacturing supremacy."*

But the strength or weakness of a people, its prosperity or its

* "Baroda," in the "Ruling Chiefs of India" Series—No. 1, page 84.

failure, lies not so much in conditions as in themselves. In themselves are found the elements of gravest foreboding for the people of India. This element is their general weakness of character. They lack strength;—strength of will, strength of logical intellect. They do not have initiative. They see truth with their feelings, and the emotional vision is stronger than either the reasoned conclusion of conscience or the act of will. They see truth with greater facility than they follow its duties in unflagging endurance. They do not possess the sense of large and exact truthfulness. Lord Curzon told them plainly that exaggeration was characteristic of the nation,—and they hated him, and still hate him, for his frankness.

Furthermore, the people of India do not have faith in themselves as individuals. The faith of the nation in itself seems to be strong, but the faith of each man in and for himself seems to be lacking. The decline of the nation for fourteen hundred years has affected the spirit of the individual quite as much as the spirit of the nation. The Gækwar of Baroda says:

"From 500 A.D. we find a steady decline in the political and mental condition of the country down to the two centuries of darkness from which we emerge into the periods of Rajput and the Mohammedan conquest. Follow the fortunes of India down the next eight centuries and note the steady decline in Hindu power, both political and mental, till we come to the time when Europeans obtain a firm footing in India and conquer the country with very slender means, meeting and conquering each problem as it arises. For fourteen hundred years the record is one of steady decline in political and mental nationality."*

Not long before his death the late Charles Cuthbert Hall wrote to a friend saying, "I exult that I received my wound on God's great battle-field." India is a great battle-field of God, and, it may be added, possibly of man. The conflict is to be long and hard. The forces are many, diverse in character and diverse also in strength and aggressiveness. The contest will go on—for how many generations one knows not—under the English flag. In its waging Western industries, Western religion and Western education have a large part in it. Through them and their allied forces, it may be hoped that India will ultimately be quickened unto a finer life even than that which was hers before the beginning of her decline fourteen centures ago.

CHARLES F. THWING.

* "Baroda," in the "Ruling Chiefs of India" Series—No. 1, page 44.

THE CONGO QUESTION.

BY FELIX H. HUNICKE.

ANY one interested in the Congo Question will soon discover that the various writers upon that subject are either antagonistic to the existing situation in the Congo or that, with little qualification, they take the opposite view of the case. The reader who honestly seeks the truth, therefore, is naturally filled with uncertainty as to the actual state of affairs; and, unless he has the good fortune to enjoy an opportunity of personally visiting that distant region, he is apt to base his opinion in large measure upon the unfavorable representations which have for years been industriously disseminated in England and America—forgetful of the fact that descriptions of unrelieved gloom are seldom true to the facts. As a matter of fact, one need but travel a few hundred miles up the Congo River to be forced to concede that, whatever foundation there may have been for some of the grave charges against the Government of the Congo, it has accomplished wonders for the advancement of its domain, and that those who, in unmeasured terms, have brought indictment against Leopold's administration of his African dependency have overlooked or ignored the good that has been effected there and the marvellous progress that has been made in the development of a country which equals in extent one-third of the area of the United States. One who has had this experience may be pardoned if he does not give unquestioning credence to the indiscriminate criticisms which have been levelled against the administration of the Congo.

Less than five years ago, the route along the cataracts of the Lower Congo consumed thirty days of infinite toil and struggle over the almost insuperable barrier of the Crystal Mountains. To-day, a well-equipped narrow-gauge railroad covers this distance of 240 miles in two days, passenger-trains leaving both

terminals of the Matadi-Leopoldville Railroad three times a week. From Leopoldville fifty steamers ply the 1,200 miles to the foot of the cataracts above Stanleyville. From Stanleyville to Ponthierville there is a second railroad. At Ponthierville there are more Government steamers to continue the journey up the river. Another railroad is under construction on the Upper Congo, or Lualaba, that will in time reach Tanganyika Lake. Last year the final surveys of the railroad from Leopoldville to Katanga were completed, so that it may be presumed that actual construction will soon be begun.

Along the banks of the Congo or its tributaries there are a number of stations where the Government is experimenting with trees, vines and shrubs from all parts of the world. Seeds may be obtained by any one for the mere asking.

At every important point there is a well-appointed hospital. There are churches, schools and laboratories and well-constructed Government buildings. Vast tracts of the equatorial forest have been cleared, and the land has been planted in rubber, cocoa, coffee and other trees and vines, as well as with garden vegetables.

Yet all this tremendous area was, but thirty years ago, as stated by Dr. Charles Sarolea, of Edinburgh University:

> "The darkest part of dark Africa, a blank on the map, a nightmare in the imagination of men, a zoological garden, a human shambles";

while now we find that, to quote from the same authority:

> "Such is the security and peace which is already enjoyed over 1,000,000 square miles under the Congo flag that independent and solitary travellers, including ladies, have been able to travel from one end of the Congo to another with no protection but an umbrella."

Three instances which will fully corroborate this statement came under my personal observation. On board the European mail-steamer, on my voyage to the Congo, there were five Swedish missionaries, three of whom were ladies returning to their field of labor. On our arrival at Boma, all passengers were required to declare to the Customs authorities all revolvers, guns and ammunition, to pay duty on the same and to secure the customary permit to carry arms. These arms have to be delivered to the proper official, who, by means of a steel die, stamps on each a number which is then registered. Knowing that these missionaries had a seven days' caravan trip into the interior ahead of them, I expressed

surprise that they had failed to make this declaration, when they assured me that they had no use for firearms.

On the return voyage, we had a Canadian missionary who, with his sick wife, had made a ten days' caravan journey to one of the stations on the railroad, over every foot of which the lady had to be carried in a hammock. They, too, said they possessed no arms, although they had lived fifteen months in the interior, fully a hundred miles from the nearest white man.

The third case was that of an English missionary and his wife, who had spent twenty-five years travelling from village to village in the Congo, extending their trips into the bordering state of Portuguese Angola. Never in the Congo did they have cause to feel the necessity of firearms for personal protection. On the other hand, in Angola they met with such unfriendly receptions at the hands of some of the tribes that, in order to avoid a personal encounter, they were compelled to retrace their steps.

As I had read more or less about "the inhuman cruelty and butchery practised upon the natives" in the Congo Free State, I naturally discussed this question while I was in the Congo last summer with the American Consul-General at Boma, and with each of the six missionaries, one or another of whom from time to time I had the pleasure of meeting at the various places I visited. I was assured that there is now absolutely nothing to complain of. I observe that Professor Starr, of the Chicago University, in his book entitled "The Truth about the Congo," declares that he had the same experience in the previous year. Although some of the missionaries have been in the country twenty-five years and more, not one of them had personally witnessed any of the reputed cruelties—a fact which seems strange if these atrocities are plentiful and "still being perpetrated."

Those who have access to the few books which give accounts of these atrocities will find that the authors invariably describe the same cases (a very limited number indeed). Photographs are shown of natives whose hands or feet have been cut off for various alleged causes—amongst others, as a punishment for not producing sufficient rubber. It is a well-known fact that the cruelties formerly practised by the members of one tribe upon those of another beggar description. Prisoners of war were always tortured to death and eaten. Upon the death of a chief, his wives and slaves were thrown into the grave alive after their arms and legs

had been broken. Is it possible that some of the atrocities accredited to Leopold's agents may have been perpetrated by the natives themselves? On the other hand, if some of these agents did commit the acts charged against them, would that be adequate cause for condemning all the others or those who employed them?

The Antwerp steamer makes its first stop, after entering the mouth of the Congo, at Banana. As soon as the vessel comes to anchor, she is boarded by the Health Officer, the Customs Officer and the Company's Agent. Each comes out in his well-appointed gig, manned by four uniformed natives. As soon as the Health Officer leaves the ship endless native dugouts come alongside offering their various wares to the passengers on board. The trading is carried on as it is in any port in the world, the goods being paid for in coin. Ashore may be seen a number of Government buildings and some warehouses of the Dutch Trading Company, a very fair park and, somewhat further up the stream, a native village, where the natives may be seen in the market-place squatting behind their baskets of fruit, while others stroll from place to place to make such purchases as their means will permit. A similar scene may be witnessed at Freetown in the English Colony of Sierra Leone, only on a much larger scale. So, too, the writer has witnessed many Mexican and South-American villages where a like picture is presented. It is seen also at the capital, Boma, at Matadi and at Leopoldville. People bring their wares and dispose of them for money. In the streets, the natives wander about, some carrying bundles, others baskets, all chattering in their native tongue, and none showing any special evidence of "hopeless degradation or poverty" any more than may be found amongst the native Mexicans or South-Americans. The scene is picturesque in the extreme and very interesting. At Matadi, many of the natives greeted me with the friendly "*bote,*" meaning "Good morning" or "How do you do?" in passing me on the street. At church I found a British missionary who, myself excepted, was the only white person present, the entire congregation consisting of native blacks; and all joined heartily in the singing, which was led by a black organist. A second British missionary church was visited, and amongst several hundred attendants there was not a sad or dejected face. All seemed happy, and all appeared to enter into the spirit of the singing. At the Swedish mission every one seemed contented and cheerful. A

party of natives, who had come to the pier at Matadi to meet some Catholic missionary fathers returning to the Congo, could not have welcomed their nearest and dearest kin with more affection than I saw them show to their spiritual teachers. Not one of these people is being driven into the forest to gather rubber or ivory, as I was led to believe from an article I read before going to the Congo.

Many missions number their congregations by the hundreds. The Government schools and mission schools are well attended, and most of them are in the hands of native instructors. A Protestant seminary is now being erected near Thysville, where some of the native converts are to be educated as missionaries, and, when proficient, these will be sent out to the more distant villages to preach the Gospel. Enough cannot be said of the excellent work that has been done by the missionaries. The difficulties and hardships these good men and women, both Catholic and Protestant, encounter, no one can appreciate who has not been in the field. As the Government assists the missions, it is but fair to consider that the work accomplished by them should, at least in part, be accredited to it, for without the Government's moral aid the missions would be utterly impossible.

Before King Leopold entered the Congo, the Arab slave raids were known to be as cruel, as barbarous and attended with as outrageous atrocities as the human mind can imagine. To-day, they have completely disappeared; so, too, have the intertribal wars which invariably culminated in wild cannibalistic orgies on the part of the victors. Now that this frightful slaughtering and mutilating and eating each other by the most degraded native races has been completely stamped out, it seems scarcely fair to accuse the Government of having failed to "provide for the protection of the native."

There are thirty-two professional judges in the Congo Free State, and these are assisted by twenty-five judicial agents. Any native who has a legitimate grievance can obtain justice by laying his case before a judge. To strike a native is a serious offence. Reference to the criminal records at Boma will prove that such Europeans as have forgotten themselves sufficiently to raise a hand against a native have paid the penalty for their act.

No European can engage the services of a native without securing a book for the latter in which the terms of the contract

must be entered, and in which entries must be made of all payments of salaries. Failure to comply with this law may be punished by imprisonment or heavy fine.

The standing army of the Congo Free State consists of 20,000 native troops under the command of European officers. These troops are stationed at the most important posts. Although polygamy is still practised amongst the natives, each soldier is allowed to have but one wife, who follows her husband wherever he may be ordered. During the seven years of service for which the men are enlisted, they are taught to care for themselves, to respect the laws of the land and to obey their superiors. They are quartered in better houses than they have ever before occupied, and they have occasion to observe and learn and adopt the customs and habits of Europeans. When their terms of enlistment have expired, they are returned to the villages whence they came, carrying with them new ideas and new habits which will, in time, have a civilizing influence upon their neighbors. The respect that the ordinary native has for the uniformed soldier is very great, and much of it remains with the man after he returns to civil life. Instead of looking upon this service as a thing to be dreaded, the natives are beginning to regard it as a privilege to serve with the colors; and they proudly exhibit their discharges to Europeans who may contemplate engaging their services. Of course it will take years—in fact, generations—for all these efforts on the part of the Government and missionaries to bear fruit. Nevertheless, the results are unquestionably apparent already. The following incident may substantiate this point:

I landed at the headquarters of the American Congo Company, one of the concessionary companies, on a Saturday forenoon. The next morning, being Sunday, after breakfast I was near the residence of the manager, when I heard the beating of a large drum. Upon inquiring what this meant, I was informed that it was the call to church in the native village, a few hundred yards distant and hidden from view by a clump of trees. Soon I was amazed to hear some of the good old-fashioned American hymns. There was no missionary at this post—in fact, no European who gave the matter any attention; and yet here were about twenty natives who had, at one time, attended some mission, and who surely must have been sufficiently influenced for the better when, on their own initiative, they held their primitive religious services

seated on logs, with the leaves and branches of some grand palms forming the roof of their chapel.

Before leaving the question as to whether or not reforms or any amelioration of the conditions of the natives have been effected during recent years, I will describe the conditions existing under the management of this particular concessionary company.

About one hundred natives are employed at headquarters. These men receive regular salaries, which are paid to them in cash, besides definite stipulated allowances in the form of food and supplies. Every Saturday the latter are served out to each individual for the coming week, and twice every month the men line up at the office to draw their pay. At the company's store, the men may purchase any article that suits their fancy. The principal labor performed by these employees is gathering wood, clearing the land, tending the live-stock, repairing and constructing buildings, handling the rubber and ivory which have been purchased and preparing the same for shipment to Antwerp, loading these products on the boat, and carrying the supplies coming from Europe from the boat to the warehouses—besides such minor duties as are universally required from servants employed in the homes of the resident manager and his assistant. Not one of these men or women is required to leave the post to travel for days into the forest to gather rubber for the Government.

It may be asked: How does this concessionary company secure its rubber and ivory? This, too, I can explain fully, having personally witnessed and even photographed the various stages of the transaction. The first indication of the approach of a trading caravan towards the post is a long-drawn-out "toot," resembling a deep steam whistle during a foggy morning on the Hudson. This is heard repeatedly. Finally a boy or young man, wielding the horn—which is made out of a young elephant's tusk—emerges from the high grass. He is followed, in single file, by the head man, then by the Chief and then by the various individuals constituting the caravan. As a rule, the carriers halt at the company's store, while the Chief and the head man proceed to the manager's office, where the head man, after saluting, explains in the native dialect the object of the call. Thereupon the Chief and the head man—who, to a great extent, seems to fill the office of interpreter—approach the Europeans and shake hands with each and every one, a ceremony that is always carried out with

great dignity. The preliminaries having been satisfactorily settled, those present proceed to the store, the Chief directing his followers to unpack their rubber, the Europeans preparing to receive it. As each native delivers the rubber he has brought, it is weighed in the presence of the Chief and the head man; then a slip of paper is handed to him on which the weight of the rubber is noted. Should the rubber be unnecessarily dirty, it is not accepted. After all the rubber has been weighed and turned in to the storekeeper, each native, in succession, enters the store and selects the cloth or article he desires. Should the value of the article exceed the value of the rubber, his request is refused; and, if it is below that value, he is given additional cloth or some other merchandise that will strictly and honestly balance the account. The manager's instructions are to offer coin in payment for the rubber and ivory. This was done in my presence, but it was invariably refused by the native. Only those natives who are in close touch with the Europeans know the value of money. In time, the others will undoubtedly learn to appreciate the advantages of a universal medium of exchange.

Where do the natives get the rubber and ivory they bring to the post? In the forests and in the fields. It is argued that these belong to the concessionary company. So they do; but how is the company to secure the rubber unless the native gathers it? The conditions differ not one iota from those existing all over the world. The man who desires to gratify his needs or wants must, in order to secure the wherewithal, give in return an equivalent value in the form of labor, coin or commodity. On this particular concession, the Government has not compelled one single soul to collect, on its account, one ounce of rubber during the past two years.

I have recently seen the contemplated transfer of the Congo Free State described as an amazing spectacle of one man deeding away, as his goods and chattels, the persons, liberties and property of 15,000,000 people, and a region nearly 1,000,000 square miles in extent. How does this transaction differ from the Louisiana Purchase, or the purchase of Alaska, or of the Philippines? Leopold, King of the Congo Free State, one man, deeds the Congo Free State to Belgium; in 1803, Napoleon, Emperor of France, again one man, deeded the territory known as the "Louisiana Purchase" to the United States, which is spoken of in a standard history as

"the largest transaction in real estate the world has ever known"; in 1867, the Tsar of Russia, once more one man, deeded Alaska to the United States; and finally, in 1899, the Queen of Spain deeded the Philippine Islands to the United States.

As the last-named transfer was effected but ten years ago, the facts in the case are still fresh in the minds of most Americans. I do not recall that President McKinley took any steps to ascertain the wishes of the Filipinos. Strange to say, the latter did raise some objections, and these did not subside until American soldiers used the ever-persuasive argument that, from time immemorial, has proven effective.

We have, therefore, three specific instances in the history of our own country in which the amazing spectacle was offered of one individual deeding to us, for a consideration, as "goods and chattels," millions of square miles of territory and the persons, liberties and property of millions of people.

Article I of the Treaty arranging for the annexation of the Congo to Belgium provides that Belgium shall respect the existing foundations in the Congo.

In all civilized countries of the world a contract is respected. In order to make it perfectly clear that the provision in the Treaty of Annexation was absolutely necessary to carry out the agreements previously entered into with the concessionary companies, I quote such clauses as bear on the subject from the contract between the Congo Free State and the company I have referred to.

"Article I.—The Congo Free State grants to said Company the right, during the period of sixty years dating from the signing of this instrument, to gather rubber and other vegetable products in the territories comprised in the following limits, marked on the appended map."

A description of the boundaries of the territory in question is given in detail, and the succeeding paragraph reads:

"The *lands owned by the natives*, private property, and the lands constituting part of the public domain of the State that may be located in these areas, will *not* be included in the concession. The rights of the party of the second part shall be subject to public or private rights now existing, and to those which may be decreed by the laws of the State. The latter reserves particularly the right, for itself, as well as the right to grant to private individuals the power, to construct waterways in the neighboring forests, to cut wood for the purpose of fuel to make steam and to store the same at posts. Stations for this purpose may be established."

"Article IV.—The party of the second part shall have the right to build roads and all other means of communication and of transport, in the concession, *subject to agreement*, if such be the case, *with the natives*, or with third parties *who have private rights to the land*, necessary for the establishment of such ways."

In the first place, the concession granted to this company does not convey one foot of ground: the vast areas granted to it *cannot*, therefore, continue in the possession of this company.

In the second place, any lands owned by the natives located within the confines of the concession are not included in the grant to gather rubber. Therefore, the native is not merely the actual possessor of his land, but he and he alone has the right to all its products. These rights have been scrupulously respected.

In the State of Texas the "school lands" are leased to cattle-owners for grazing purposes. A rubber-bearing shrub, known as "guayule," grows on some of these lands. About five years ago, when "guayule" suddenly sprang into prominence in Mexico, the lessees of the Texas school lands decided to reap a rich harvest by selling the shrub existing on the lands they had leased from the State. To their surprise, the School Commissioners of the State ruled that this was illegal, and the Legislature sustained their decision.

The Texas grazing lease is very similar to the rubber-gathering concession of the Congo Free State. In the former case, the lessee may graze his cattle on the lands, but he cannot gather the rubber; while, in the latter case, the concessionary company may gather the rubber, but cannot appropriate any other product such as coal, ore and timber found on the concession.

It is difficult to understand how the native is kept out of the possession of the produce of the land because of the existence of this concession. What possible benefit would he derive from the actual possession of any additional lands? If he cares to exploit any given number of acres of land, what is there to hinder him from doing so? I have not seen one native who, on his own initiative, cultivated any land except such small patches as sufficed to provide for his needs, and even these he himself does not work as long as he has a wife to do it for him. The men will gather the tree and vine rubber, but they will not work the soil. In the case of the grass rubber the men may gather the roots, but the women and children must pound the rubber out.

If the native needs powder or salt or cloth, he will gather rubber; this he brings to the post to exchange for the articles needed. Having satisfied his wants, he does nothing but live in idleness until such time as his supplies are again exhausted. There is nothing compulsory about the rubber-gathering; and, on the concession referred to above, the only tax known is the one paid by the company to the Government.

The French Congo has been so completely partitioned out amongst concessionary companies that not ten per cent. of its territory remains in the hands of the Government. The only village of importance in this vast colony is Brazzaville, which is located on Stanley Pool opposite to Leopoldville. The improvements made by the Government are so few that they hardly deserve mention. All supplies destined for the French Congo are brought to Brazzaville on the Matadi-Leopoldville Railroad. Thus, were it not for the transportation facilities established by Leopold, the French Colony would be practically inaccessible. In the same manner, many of the products of the British and German colonies east of the Congo Free State can be shipped to the European markets only by way of the excellent facilities Leopold has established in his domain.

What has been done by the European countries which own these African colonies to warrant the belief that they are more fitted to govern the parts of the Congo Free State that might be allotted to them in case the latter State is partitioned out amongst them than is Leopold to-day? What benefits have the natives in those colonies ever derived from the fact that they are living under the English, French, German or Portuguese flags? As long as the Congo is a colony of a "neutral" State, there is reason to believe that there will be no conflicting interests amongst the colonies of the other European Powers. The very act of partitioning the Congo amongst four Powers would bring about a situation almost sure to lead to difficulties.

France, Germany and Portugal are satisfied to permit the *status quo* to continue. Then why this strenuous effort on the part of England in behalf of the Congolese? Does England need the Congo so that her Cape to Cairo railroad may traverse none but British territory?

FELIX H. HUNICKE.

NEW BOOKS REVIEWED.

BY LOUISE COLLIER WILLCOX, OLIVIA HOWARD DUNBAR AND GRACE ISABEL COLBRON.

GILDER'S COMPLETE POEMS.*

THE fascinating French iconoclast of to-day tells, in one of his prefaces, an amusing anecdote of the dictation set for the entrance examination of the young volunteers. The papers got hold of the dictation and, believing it to be the composition of some army officer, could not finish deriding the absurdity of the style until it was set forth that the dictation in question was one of the most eloquent pages of Michelet, when they fell suddenly silent. "But," adds M. France, "in order to be unanimously admired the page had to be signed."

In taking up the volume of Richard Watson Gilder, we wonder how we should have judged it had it been unsigned, for the name stands for so much more than that of mere poet; it stands for a force in our civic and national life; it stands for the critic and wise editor before whom the present generation has so often stood trembling, with small wares for sale, and to how many, too, does it stand for the first staunch upholder, the sage counsellor, the patient and gentle helper?

It would be difficult, indeed, to find any one among the younger writers of to-day who could lay hands upon this first complete edition of Mr. Gilder's poems without reverence and a personal prejudice in favor of its author. And the first unwilling fault one finds with it is that the author did not give it a little informal preface, a little word direct to his friends; the second, that the different volumes which go to make up the book should not be dated so that, at a glance, the early songs and sonnets, dating

* "The Poems of Richard Watson Gilder." Boston and New York: Houghton, Mifflin Co. 1908.

back to 1875, might be distinguished from the larger and freer utterances of thirty and more years after.

The early songs and sonnets are indeed of uneven merit. Close beside the charming little vignette, "A barren stretch that slants to the salt sea's gray," comes the sonnet, in the Italian manner, containing the undecorated and undisguised statement, "I like her feet." In Italian such a matter-of-fact utterance is softened by the music of the language; in English, had it chanced to be, "I love her feet," it might have passed; but standing, as it does, at the beginning of the line, undisguised and undraped, it verges on the proverbial step from the sublime.

It would be a pleasant task to write fully upon Mr. Gilder's sonnets, for it is a form in which his verse moves very happily and freely, and in which he has offered us some of his noblest thinking. "The Lover's Lord and Master" (1875) is an excellent sonnet, showing still the influence of Petrarch. In the sonnet "To the Sonnet," despite its beauty, one feels the imagery too closely packed. In Wordsworth's lines on the same subject he calls the sonnet a key, a small lute, a pipe, a gay myrtle leaf, a glow-worm lamp, and, finally, a thing and a trumpet; Mr. Gilder goes further and calls the sonnet a pearly shell, a precious jewel, a little picture, a tear, a two-edged sword, a star, a song, a funeral bell, a flame, a solemn organ, a clear glass and a sea. This is the very opposite of Rossetti's fine warning of the sonnet,

> "Look that it be
> Whether for lustral rite or dire portent
> Of its own arduous fulness reverent."

Nor is it possible to feel that the translation of "*Tanto gentile e tanto onesta pare*" compares favorably with either the translation of Charles Eliot Norton or that of Rossetti. But there are beautiful and noble sonnets here, such as, "I count my time by times that I meet thee," three sonnets of "Love and Death" and the sonnet to Keats with the fine lines:

> "What large laughter
> Among the immortals when that word was brought."

Again the sonnet beginning,

> "Something there is in death, not all unkind,"

is flexible and lovely; and foremost for its record of the instant of vision, shared by so many poets, Browning, Shelley, Tennyson and Whitman, stands "The Solace of the Skies" ending:

"But something suddenly through my heart did pour,
Beyond all thought, all dream, all hope; since then
Nor death nor life has been the same to me:
Can grief the spirit kill, once touched by Deity?"

The poems that deal with music number over forty and witness to the preoccupation it has been to this poet throughout his life. The ode to McDowell is full of fine patriotism as well as of lovely and precise description of the composer's music. The "Chopin Fantasy" again is truthful and exquisite, and "Paderewski," with the opening line,

"If songs were perfume, color, wild desire,"

is full of the emotion of music.

It is impossible in so small a space to deal with Mr. Gilder's patriotic poems beyond pointing out the two which should surely be in every anthology of American verse, "The Life-mask of Abraham Lincoln" and "The Great Remembrance." Nor, again, can one touch upon the large number of poems to friends which speak eloquently of the poet's wide sympathies and fine enthusiasms.

In the philosophic and meditative poems, Mr. Gilder makes, perhaps, his highest reach. These easily admit the untrammelled form which in the later years seems most congenial to the poet. Here is fought out the great struggle of this century between doubt and faith, the reconciliation of a world distraught with God. But for the line,

"Five are the generations this place has *humaned*,"

"The old House" is lovely. Is it not sad enough to live in a day when journalists write of "a human" without a poet and a critic coining "to human"? In the same *genre*, "*Non Sine Dolore*" is the finest poem both in form and content, and is a poem to love and be grateful for with its high diction and sustained philosophy of courage and endurance.

The lines,

"If He escape not pain, what beings that are
Can e'er escape while life leads on and up the unseen way afar?
If He escape not, by whom all was wrought"—

recall Madame Ackerman's terser line,

"*Celui qui pouvait tout, a voulu la douleur.*"

But Mr. Gilder's poem moves on, working up splendidly from

"If at our passing life be life increased,"

through the glorification of pain as the soil from which the bliss of being brave must grow, to the lines in which he asserts of pain:

"'Tis not from life aside, it doth endure
Deep in the secret heart of all existence,
It is the inward fire,
The heavenly urge, the divine insistence."

To wish to change anything in a poem which we could not and would not lose is ungracious, but it is impossible not to be somewhat grieved by the line,

"The strength to never yield though all be lost,"

with the unnecessary split infinitive and the reminiscence of Milton's familiar and grandiose passage which begins, "All is not lost," and ends with,

"Courage never to submit or yield
And what is else not to be overcome."

The inverted stress would have added vigor to the line,

"The strength never to yield though all be lost,"

even if it were not better dropped out altogether. The volume, as a whole, is a valuable addition to American verse, full of contemporary thought, and, signed or unsigned, none could fail to find in the volume a real poet, sincere, humble-minded, serious; never dropping to the popular lilt, never failing in large and noble enthusiasms, one who has lived life fully, aware of great issues and alert to chronicle all loveliness.

LOUISE COLLIER WILLCOX.

"THE FAMILY LETTERS OF CHRISTINA GEORGINA ROSSETTI."*

THE difficulties that Christina Rossetti presents to the biographical enthusiast were long ago illustrated by the well-intentioned effort of Mr. Mackenzie Bell, whose book sounded as though he wrote in constant fear that the reproving eye of some critic more copiously informed than he were looking over his shoulder. It may be, of course, that in such a case as hers, taking into account, that is to say, the intimate quality of her genius and the conventual character of her life, only an autobiography

* "The Family Letters of Christina Georgina Rossetti." Edited by William Michael Rossetti. New York: Charles Scribner's Sons.

could be fully satisfactory. And this, it is true, she has, in larger measure than is always realized, furnished in her poetry itself, much of which, as her brother explicitly states, is intimately personal. But to that picture of her which later generations will, one imagines, be more and more eager to form, this newly published volume of her family letters will importantly contribute. With the exception of various barren intervals, these extend through the period of her whole life; and they are almost all of Christina Rossetti's own authorship, as it was her usual habit to destroy letters that she received. Mr. William Rossetti's annotations are scrupulous, abundant, invaluable;—so that once again one is forced to marvel at the dispensation that provided for the Rossetti family one such tirelessly industrious and fortunately enduring member.

In the main the letters are rather formal,—but it is evident that all Christina Rossetti's intercourse was formal. Those who are disappointed to find so little of direct personal revelation may reflect that they would have gotten far less from actual acquaintance. With the world outside 30 Torrington Square she seems to have had incredibly little to do. She avoided most personal relationships. When Macmillan, her publisher, was to be consulted, she preferred that one of her brothers go in her stead. Her interest in literature never abated; but if the letters reflect her properly, she felt little interest in other arts, except as these were practised by members of her own family. (She did not go to the theatre, for instance, after she was eighteen years old.) She exhibits rather less than the ordinary enthusiasm for children, and one would even suppose her feeling for nature not to have been excessive.

These various restrictions, all interesting and significant, must have been partly due to her constant invalidism, with its frequent periods of great suffering and danger;—but also, one cannot help believing, to the extreme intensity of her nature, which could not dribble away its force in superficial or sentimental interests, but demanded opportunity for concentration. She accomplished this concentration, of course, first upon her mystically conceived religion and next upon her attachment to her family, particularly her mother. This wonderfully unstinted filial love is indeed the most constant element in the letters, though they also beautifully show her attitude toward her sister

and brothers:—Maria, in whom she saw "no insignificant touch of greatness," and whose fancied moral superiority to herself is said to have inspired "Goblin Market"; William, upon whom she continually relied for substantial brotherliness; and the adored Dante Gabriel, who called her "a more spontaneous poet" than himself, and to whom, as critic, she referred all her work. It is curious to come upon Dante Rossetti's objection, on the ground of their too personal quality, to the republication of a good many of his sister's poems, and upon the reticent Christina's composed defence of her course. She was, however, among the artists who thoroughly understand themselves,—unless it be a defect in understanding that she undervalued herself. She spoke of her "one-stringed lyre," and added, "it is not in me, and therefore it will never come out of me, to turn to politics or philanthropy like Mrs. Browning." And she speaks with half-playful confidence of "a genuine lyric cry," which she is willing to "back against all skilled labor!"

A particularly valuable part of the volume is that giving a glimpse of Christina's youth—inasmuch as she seems to have been young for so brief a time! It is unexpected to encounter so young, girlish and therefore charmingly self-conscious a tone as one does in these eighteen-year-old letters. At this age she was already thinking and writing poetry in common with her brothers; and a visit to the family of James Collinson, the Preraphælite painter, to whom she was then engaged to be married, not only stifled her with a surfeit of prose, but drew from her some precociously Jane Austen-y comment.

Money was always scant in the Rossetti family, and for this reason alone Christina for the following few years did some teaching on the governess order. No explanation is needed of the fact that she cordially disliked this occupation.

The light tone of the early letters soon disappears, and the later ones are all wonderful witnesses of their author's almost touching unaffectedness and of a seriousness pretty constantly touched with melancholy. She retained, however, her ready frankness of expression. "I am not well versed in George Eliot as a bard," she remarks, with obvious entire lack of sympathy for her contemporary, "but feel inclined to rate Mrs. Webster decidedly higher." For Augusta Webster she had a warm admiration. Once somebody sent her Emily Dickinson's poems,

in which she saw "a wonderfully Blakean gift, but therewithal a startling recklessness of poetic ways and means." On reading William Watson's "Prince's Quest," she wrote to Dante Rossetti: "Marked beauties it has, and yet I don't foresee a great future for its author."

As religion determined (very beautifully) the content of most of her poetry, so it was also religion that determined (perhaps less happily) the course of her life. The mystery by which Christina Rossetti was able to reproduce in verse her moods of intense devotion is something one scarcely cares to invade with unanointed feet.

But as far as her own life is concerned it is scarcely possible to regard her uncompromising attitude toward religion as an unmixed blessing. In repeated small matters it seems to have involved unnecessary sacrifice on her part. More conspicuous is the fact that she did not marry James Collinson, her early lover, because he became a Catholic. And it was for some religious reason, obscure even to her always sympathetic brother, that she, much later on, refused marriage with Charles Bagot Cayley, whom she loved then and always, and to whom, according to William Rossetti, the "Monna Innominata" sonnets are "indubitably" written. But it seems fairly plain that this renunciation did not leave her even passively content, but that she thought longingly of the "common lot" to the end of her days.

OLIVIA HOWARD DUNBAR.

HENRIK IBSEN.*

THIS little book will prove exceedingly useful to the Ibsen student. For, although Mr. Moses has not succeeded in proving his right to be considered a creative critic, he has given us a careful and conscientious summary of all of importance that has been written about Ibsen in three or four languages. It is a compilation made with painstaking industry aided by intelligence. Impartially, with cautiously worded comments and much quoting from the original, Mr. Moses gives us the gist of the best-known writings on Ibsen, and tells also of some not so well known here, but of equal value. When we finish the book, we have an excel-

* "Henrik Ibsen: the Man and his Plays." By Montrose Moses. New York: Mitchell Kennerley.

lent perspective of the man and the dramatist as seen by his most gifted commentators and critics of various nations.

As a critic and a biographer, Mr. Moses has set himself the task of showing that the development of Henrik Ibsen was a thoroughly logical one, when studied in connection with the national influences which surrounded him throughout his life. This is the only true spirit in which to approach a study of Ibsen, but it is not always the spirit in which the critic goes to work. A certain grand isolation in which the figure of Henrik Ibsen seems to stand enveloped; the world-fame his work has gained for him, coupled with an almost total lack of knowledge of the more intimate mental and physical life of the country of his birth on the part of many Ibsen commentators; these facts have all contributed to a growing inclination to judge Ibsen as a unique and isolated genius, standing alone upon a mountain peak in a shadowy No Man's Land of the spirit. The chief critical merit of Mr. Moses's book is that he has emphasized Ibsen's constant mental and spiritual dependence on his own country; the fact that, in spite of years of residence abroad, Ibsen remained always the Norwegian, the provincial Norwegian even. His whole thought was for his country, her problems, her limitations, her possibilities. He was looking at a tiny corner of life, was painting on a little square of the world's great canvas, but the intensity of genius gave him an impetus that carried him out of himself into regions of which he had not dreamed.

Mr. Moses has painted lucidly the details of the life in which Ibsen's younger days were passed, and has endeavored, while describing the poet's development, to describe also, as much as is possible, the developments of Scandinavian political and mental life which were the exciting cause, and sometimes the result, of Ibsen's most notable work. He has fulfilled his task in an uninspired but conscientious fashion, and has held a just and true proportion of background as a setting for the principal figure of his book. In speaking of Ibsen's relations with Björnsen, Mr. Moses contributes one phrase which is noteworthy. He says:

> "It was not a thought of class distinction which was to come between the two at a later time, but the distinction was that which exists between the views of a constitutional radical and of an intellectual radical."

This characterization of Ibsen as an intellectual radical in contradistinction to the constitutional radical, or the "practical radi-

cal," to use a modern phrase, is the best bit of criticism in the book. It hits the heart of Ibsen's radicalism exactly.

After the first few chapters on Ibsen's early life, Mr. Moses divides his book into chapters on each play, giving the story, the incidents of its creation and completion, and all data of its reception in the dramatist's own country, as well as valuable information on performances and criticisms elsewhere. In this last respect, Mr. Moses's book is most complete, as he has been able to gather information regarding performances of Ibsen plays all over the world.

A little quotation from "Brand," the words of Agnes: "Think of me sitting still . . . who am debarred from the strife and catch no glimmer of the fire of action . . ." starts an interesting train of thought. Not one of the many Ibsen biographers has told us anything outside of the most meagre data concerning Ibsen's wife. There is, therefore, even in this well-tilled field, one little unexplored corner left for some future Ibsen commentator. There is no lifelong companion of any genius so utterly unknown as Ibsen's wife.

Some slight errors there are, even in this painstaking work. Mr. Moses mistakes *Rector* for *pastor* in commenting on Rosmersholm. A common error, as use of the title of Rector for Headmaster of a school, common in Scandinavia and Germany, is not general in English. Also, where does Mr. Moses get the idea that Hedda Gabler was "lowly bred," when the key-note of Hedda's character is the struggle between her own nature and the traditions of her bringing up as the daughter of a Norwegian general, a man of the highest social position?

In his chapters, explanatory and critical, on the separate plays, Mr. Moses uses the recently completed Scribner edition, in Mr. Archer's translation, as a basis. It is no small merit for a publisher to have presented in the English tongue that moderate-priced edition of Ibsen's work in an authoritative and carefully edited translation. Ibsen has long been a familiar figure in the English-reading literary world, but it was only by an isolated play now and then, or by comments of critics able to read foreign tongues, that this English-reading world could judge of the much-discussed poet. Now it is possible to make a comprehensive study of Ibsen in our own language.

GRACE ISABEL COLBRON.

WORLD-POLITICS.

LONDON: ST. PETERSBURG: WASHINTON.

LONDON, *March, 1909.*

AFTER three years of almost incredibly thorough and arduous toil, the Royal Commission appointed to inquire into the British Poor Law has issued its Reports. They make appalling reading. Most of us were probably prepared to find the British Poor Law the worst in Europe. But few of us can have more than suspected the depth and breadth of its badness. Now, however, we know all, or nearly all, that there is to be known about it. Every branch and detail of the whole fatuous and debasing system has been laid bare—the workhouses where, except for the elementary division of sex, nothing is done to separate the young from the old, the good characters from the bad, or the healthy from the deficient; the outdoor relief perpetuating dirt, disease and immorality; the labor-yard encouraging the casual and the "in-and-outer" and discouraging and degrading the industrious unemployed; the Boards of Guardians, each, with few exceptions, a miniature Tammany; the chaos of indiscriminate voluntary charity confirming every instinct of idleness and unthrift; the public elementary schools turning out thousands upon thousands of boys without a single industrial aptitude among them; municipal relief works subsidizing the casuals and incompetent and repelling the decent and the capables at an enormous cost and with the minimum of local benefit; the utter inadequacy of such labor exchanges as exist; and the absence of any effective scheme of insurance against unemployment. Small wonder that, with such conditions, the sixty millions sterling a year spent in Great Britain on education, sanitation and poor relief seem almost thrown away; that the army of paupers, in spite of the increase of wages, is all but as huge as it was five and thirty years ago;

and that the cost of maintaining each individual has more than doubled since the early seventies.

The Commissioners were not able to present a unanimous Report. Eighteen able, earnest and experienced persons, each one an authority of the first rank on some special branch of the whole gigantic problem, could not possibly have been expected to agree on every point of diagnosis and prescription. The wonder is that they should have found so much in common. Substantially both the majority of fourteen and the minority of four are at one in their recognition of the defects of the present system and in the reforms they would apply to it. Thus both parties condemn the mixed general workhouse as almost the last word in extravagance and demoralization. Both decree the abolition of the Boards of Guardians and for the same reasons of inefficiency, nepotism and irresponsibility. Both agree that the administrative area for dealing with the problems of poverty must be that of the County or County Borough Council. Both urge the necessity of co-ordinating public and private charity. Both favor a wide extension under Government direction of labor exchanges on the German model. Both draw a distinction, which in practice has never yet been drawn, between the deserving and the undeserving poor. Both propose to treat the wastrel and the loafer with Elizabethan rigor. Both insist upon segregating and classifying the recipients of public assistance and upon handling the special problems of children, of the aged and infirm, of the sick, of the able-bodied men, of the able-bodied women, of vagrants, and of the feeble-minded and epileptics, separately. These are principles which lie very near the root of genuine reform, and the fact that they are held in common by both the majority and the minority should be enough to furnish an assured basis for the work of reconstruction.

This much at least is certain, that whatever form the British Poor Law may assume, in its present spirit and methods it is doomed. The Reports of the Royal Commission, which have been separately issued in book form and are selling like one of Mr. Hall Caine's novels, have shocked and stimulated the public mind. Every one now realizes that on the Poor Law legislation of the next two or three years will depend the moral and physical well-being of millions of Englishmen for the next two or three generations. Every one is convinced that England must either throw

off this stupendous burden of pauperism or it will bring her inexorably to the ground. The majority of the Commissioners, it is felt, are profoundly right when they insist that no country, however rich, can permanently hold its own in the race of international competition if hampered by an increasing load of this dead weight, or can successfully enact the rôle of sovereignty beyond the seas if a portion of its own folk at home are sinking below the civilization and aspirations of its subject races abroad. The question of pauperism is for Great Britain emphatically an Imperial question, and a democracy in which large classes have lost their independence, their self-respect, and all sense of the dignity of labor, is a democracy that is steadily unfitting itself for any part of work and effectiveness on the stage of *Weltpolitik*.

Since Parliament reassembled in the middle of February the House of Lords and not the House of Commons has been the centre of interest. This is because it fell to the Lords in the last week of February and the first of March to take into consideration Lord Morley's scheme of Indian reforms; and no subject that has thus far been mentioned in the House of Commons even begins to compare in gravity with the revolution aimed at by Lord Morley in the spirit and workings of British rule in India. The essence of his proposals is the association of educated Indians in the effective work of policy and legislation; and this end he looks forward to attaining, first, by appointing a native to the Viceroy's Executive Council which is the supreme governing authority of the country; secondly, by enlarging the powers and numbers of the Viceroy's Legislative Council; thirdly, by adding an Indian to the Executive Councils of the Governors of Bombay and Madras; and, fourthly, by obtaining authority to create Executive Councils in those Provinces that at present are ruled by Lieutenant-Governors. The debates in the Lords on this momentous scheme were of unsurpassable brilliancy and value. The Upper Chamber contains among its members many who have served in India as Viceroys, Governors, Lieutenant-Governors or civil servants; and while their tone was often critical of the details of Lord Morley's Bill nothing could have been better than the large, serious, Imperial and statesmanlike spirit in which they approached the general problem. In the end Lord Morley got his Bill through without amendment or mishap, except that the clause authorizing the creation of Executive Councils in the Provinces

administered by Lieutenant-Governors was struck out. It is certain, however, to be replaced by the House of Commons, and as the Lords are unlikely to insist upon its exclusion Lord Morley's reforms stand every chance of being adopted by unanimous assent.

I do not by that mean it to be understood that they have escaped severe and searching criticism. The appointment of a native to the Viceroy's Executive Council has formed no part of the Bill, being a matter that comes altogether within the Imperial prerogatives. If it had formed part of the Bill, I imagine the Lords would have voted it down. No feature of the measure came in for rougher handling; none is so plainly revolutionary and contentious; none forces so wide a breach into that homogeneity at the top which hitherto has been a fixed principle of British rule; none is more likely to create that impression of racial or political favoritism which it has been the foundation of our strength to avoid. "In India," argued Lord Morley's opponents, "we are impartial or we are nothing. Every race and creed would sooner be governed by us than by a member or a body drawn from any or all of the Indian communities. We alone represent the whole of India and can look with equal eye on the clash of interests, religions and nationalities. That is the basis of our whole position, and to admit a native, however able and respected, to the supreme Executive Council is to compromise our prestige in the eyes of the native Princes, to handicap our freedom of action and to impair the universal confidence in our impartiality. We may gratify one man and a single section of a single community. But it will only be done at the cost of suspicions, jealousies and resentments we ought never to provoke." That there is much force in these arguments must, I think, be admitted. Lord Morley, however, remains impenitent and unconvinced. He will not countenance the suggestion of two natives, one a Hindu and the other a Mohammedan; nor will he pledge himself to recommend a representative of each race alternately. He stands rigidly on his original proposal, justifying it by the contention that a native of the necessary qualifications and experience should not be excluded from the highest authority in the land merely because he is a native and that when you are making concessions it is sound policy to make them generously.

On the whole, I think it may fairly be said that while nobody in England ignores the risks they involve, everybody approves the

motive and objects of Lord Morley's reforms. Every one, that is, agrees that we can neither stand still nor retrace our steps; that education, railways, the native press, the admission here and there of the representative principle, the peace and security engendered by British rule, and the mental and physical circulation which has set up throughout the Orient, have produced a legitimate discontent with the old methods of mechanical, inelastic, bureaucratic rule; that we have made too much of efficiency and too little of sentiment; and that it is the business of statesmanship to vest the functions of administration, and to some extent of policy and legislation, in an Anglo-Indian partnership. All this means a good deal of disturbance in the machinery of government and necessitates a readjustment of the spirit and attitude of British rule. But the acknowledgment is universal that it is precisely this readjustment that is most needed, and that Lord Morley's scheme effects it with no sparing hand. Nobody in the Lords had any alternative scheme to suggest or contemplated for one moment the possibility of rejecting it. Its passage through the Upper House was immensely facilitated by two concessions which Lord Morley was able to announce. His original proposal was that for the purpose of electing members to the Legislative Councils mixed electoral colleges should be composed of Hindus and Mohammedans, and that each community should be represented in proportion to its numbers. Against these two provisions the Mohammedans strongly protested, and both of them have now been wisely abandoned. That is to say, Lord Morley has decided to allow separate representation to the Mohammedans and to grant them more representatives than their mere numbers would entitle them to. The whole episode has been one on which American critics of British rule in India might well be invited to reflect. Lord Morley proposed his mixed electoral college with the idea of "promoting harmony" and "bringing the two great communities more closely together." He quickly found that harmony could only be promoted by separating them, and that the way to bring them more closely together was to keep them as much as possible apart. The moral is that the British do not rule India by dividing. They rule India because she is divided, prefers to remain divided, and resists any attempt on the part of her governors to bridge over her divisions. The ancient primitive cleavages of race, creed and caste still present

an inexpugnable front against the very conception of territorial patriotism; and where race, creed and caste are the operative factors in politics you can secure neither equality of treatment by counting heads nor concord by pooling votes. It has now gone on record that the British rulers of India opened the gate to union and that sixty-two million Indians refused with passion to pass through it.

The King's Speech at the opening of the fourth session of the present Parliament on February 16th emphasized the predominance which financial questions are bound to occupy during the coming months. "Owing to various causes," it announced, "including the new provision which was made last year for old age, and an increase which has become necessary in the cost of my Navy, the expenditure of the year will be considerably in excess of that of the past twelve months. In these circumstances, the provision necessary for the services of the State in the ensuing year will require very serious consideration, and, in consequence, less time than usual will, I fear, be available for the consideration of other legislative measures." In spite of that the Government's programme includes the Irish Land Bill which Mr. Birrell introduced last session and which is certain to be the centre of a prolonged strife; a Housing and Town Planning Bill; a Bill, which has no possible chance of passing the House of Lords, for disestablishing the Church in Wales; and several other Bills for establishing labor exchanges, setting up Trade Boards to prevent sweating, amending the Old-Age Pensions Act so as to deal with the "hard cases" on which I touched in my letter of two months ago, and reforming the laws respecting inebriates, the milk-supply and the hours of work in shops. No mention was made of the House of Lords, which Mr. Asquith in December declared to be "the dominant issue"; and the Government refused during the debate on the Address to entertain the suggestion of one of its own supporters that it should dissolve at once on the question. Nor was any mention made of Ireland, parts of which have unquestionably lapsed into a state of serious disorder. Mr. Birrell's administration of the country, and especially his refusal to put the Coercion Acts in force, was sharply arraigned by the Opposition in one of those familiar debates on Irish affairs that leave the Irish question a little more confused and insoluble than it was before.

ST. PETERSBURG, *March, 1909.*

SOME of the forces, internal and external, which bid fair to shape Russia's destinies for centuries have come into play during the last three or four months, and almost imperceptibly. Certainly their importance has not been appreciated, perhaps not even suspected, by the daily press, which reserves its best attention for the strikingly significant, the new, the sensational. Nor is this to be wondered at, seeing how slow is the operation of most of these forces and how difficult it is for a foreigner to forecast their effects. One of the momentous changes in this category—indeed, one may boldly affirm the most fateful of them all—is the measure for the break-up of the village commune, which was carried in the Duma a few weeks ago. The idea underlying that bill was first unfolded by Count Witte, who intended to modify it before enacting it. It was then taken over by M. Stolypin, promulgated as a temporary measure by the Tsar, afterwards laid before the Duma, discussed with passion and has now been duly inscribed on the statute-book. Its ultimate object is to create a class of peasant landowners who shall be strong conservatives in politics, zealous adherents of the monarchy and bulwarks of the Church. But its incidental effects will be more far-reaching than the consequences which, deliberately aimed at, will doubtless also be achieved in the fulness of time.

Heretofore the bulk of the peasantry in Russia held their land in common, each family receiving in proportion to the number of its male members, a share which it continued to keep until the ensuing redistribution. These holdings, consisting of strips, generally scattered over a large area and sometimes lying miles apart, were managed in accordance with customary by-laws which, sometimes ruinous and always irksome, could not be disregarded by the individual. In this respect the hard-working, pushing tiller of the soil was at a great disadvantage. And not only in this. There are always in the Mir a contingency of members who are lazy, idle or ailing, and whose work is less in quantity and worse in quality than that of the others, and the taxes of those drones had to be paid by the conscientious workers. Under these conditions which tend to dishearten the individual and kill enterprise, the land was plundered rather than tilled, and the husbandmen, with few exceptions, lived from hand to mouth and were generally in debt. That is the state of the Russian peas-

antry to-day. Of property as an inalienable possession they have no clear-cut notion. Hence two years ago they rose up in arms, seized the land of the squirearchy, burned their manors, expropriated their estates. And they saw nothing reprehensible in this violent mode of bettering their condition. Now the object of M. Stolypin's remarkable bill being to remedy the defects, of which plunder and arson are manifestations, it bestows upon all members of the commune the right to claim the land which they are actually tilling and to buy more if the Government have any more to offer them. The money necessary for this financial operation is to be supplied by the peasants' land bank. Such in brief is the gist of the famous agrarian reform bill which has recently obtained the approval of the Duma and the sanction of the Tsar.

It may ultimately attain its end, to compass which was a task well worthy of the generous ambition of a far-sighted statesman and an enterprising patriot. But in all likelihood that consummation will require a longer time and necessitate heavier sacrifices than is commonly assumed. There is too much reason to fear that long before the wished-for results are achieved thousands of peasants will have succumbed to the temptations that continually assail them—to drink, laziness, waste and improvidence—and having disposed of their farms will be turned adrift from the soil that humanized them, and sent to join the army of destitutes which is already one of the standing dangers to the State. Nor is that the worst. Tens of millions of others, literally tens of millions, will be directly cut off from the soil by this drastic measure and be forced to eke out their existence in ways hitherto untried and by activity of a kind that bodes no good to the social or political fabric. In a word, no such radical change has ever been wrought in the country as will be directly and inevitably brought about by this well-meant Government reform. It contains the germs of a revolution which will become grimly real long before the aim which the Premier set himself can possibly be accomplished. Doubtless the ship of state will at last find itself in the smooth waters of an ordered democracy, but not until it has weathered a terrific storm and lost some of its precious cargo in tempestuous seas.

While all Europe was filled with intense alarm and stockbrokers were panic-stricken at the prospect of a sanguinary struggle in the Balkans, public opinion in Russia was unresponsive,

almost indifferent. Attention there was absorbed by matters of purely domestic significance; for as Russians remarked, "Servia is dear to us, but our own interests are still dearer—'a man's skin is nearer to him that his shirt.'" The subject that stirred them thus profoundly was the downright immorality of the secret detective system, certain revolutionary aspects of which had been unexpectedly revealed in connection with the arrest of an ex-director of the Police Department, M. Lopukhine. But that was only an outside view of the matter. Underlying the ethics of the system of espionage was the abiding opposition between the bulk of thinking Russia and the *régime*. The immorality of the police system was hardly more than a pretext for a vigorous assault on the Prime Minister and the scheme of policy which is associated with his name.

M. Lopukhine, a flexible, superficial, but mediocre, administrator, was apprehended on a charge of having had illegal dealings with the revolutionary party abroad, and of betraying to them information of importance which had come to his knowledge when he was head of the police. He had, for instance, told them that they were being grossly betrayed by one of their own leaders, a man who was regarded as the soul and the brain of the terrorist league, the prime mover of the little band of conspirators who were using the bomb, the dagger and the revolver with deadly effect. He proved to them that this man was not a revolutionist at all, but a regular police agent named Azeff, who had entered the party eighteen years ago, had taken service with the police at the same time, and had been in receipt of large sums of money from both sources ever since. The Government authorities prized that agent more than all the others put together, for he had, they affirmed, rendered them inestimable services. And now Azeff's helpful action was paralyzed forever, thanks to the criminal zeal of M. Lopukhine, whose conduct had previously on more than one occasion awakened grave misgivings in the minds of many. An ex-director of the Secret Department holding intelligence with the deadliest enemy of the State was himself an enemy of the State, people declared. Accordingly he was arrested and is now awaiting his trial.

The man, Azeff, whose double-dyed infamy was divulged by M. Lopukhine, was an engineer by profession, a libertine by nature, and a systematic destroyer of human life by choice. His

baseness and callousness, which knew no bounds, excite universal horror and disgust. He was capable of making the acquaintance of a revolutionist, nursing it till it became intimate friendship, and then sending his unsuspecting friend to the gallows or a dungeon. And in the motives for this odious treachery there was no trace of passion, conviction or sentiment bad or good. His cunning matched his unemotional wickedness. For nearly seventeen years he continued to render to the revolutionists services on which they set a high value, and in return for which they promoted him to be a member—the most influential member—of their executive council. And during the same period he had risen in the police force to a position of such importance that, contrary to wont, he had direct access to the chief of the police and was even consulted on critical occasions by the Assistant Minister of the Interior himself. One Minister expressed in terms of superlative praise his appreciation of Azeff's services, which the Government would still be receiving had not the ex-Director of the police revealed his rôle to the revolutionists.

Suspicions of Azeff's treason had been rife among some of his comrades long before this. These doubts had been aroused by direct but vague information which had come to the party from an assistant director of the Warsaw Police Department named Bakai, a man who had first bartered the revolutionary cause for that of the autocracy and then sold the secrets of the autocracy to the revolutionary party. But Bakai's sincerity was suspected from the outset. Moreover, he could only acquaint the revolutionists with the fact that they were being systematically betrayed. The name he gave them of the traitor was not Azeff, which he had never heard, but a pseudonym by which Azeff was known only to the police. The accused man was duly notified of the charges alleged against him. Raging violently against his accusers, he appealed to his proven zeal in the terrorist cause and his signal success, and so specious were his pleadings, so cogent his arguments, and so copious the evidence of his single-mindedness which he was able to adduce, that he emerged from under the passing cloud of suspicion more refulgent than before. But denunciations never wholly ceased, and the campaign of intrigues between himself and his fanatical comrade Burtseff was carried on fitfully. The matter was not clenched definitely until it had been referred to the ex-director of the police, Lopukhine, to whom Burtseff

made an appeal for help in the shape of evidence. Azeff sought to parry this deadly thrust by hastening secretly to the Russian capital, arranging an alibi in Berlin and then calling on Lopukhine and the present director of the Police Department. He requested Lopukhine to tell the terrorists that he had never been a detective agent, but Lopukhine, who had already supplied information to the revolutionary committee, brusquely declined to parley with his former underling. Then the present head of the Police Department, Gerassimoff, visited Lopukhine and besought him not to reveal Azeff's secret, which was also that of the Government, to the revolutionary committee. This request evoked a curt refusal. And shortly afterwards Lopukhine was arrested. Then the Duma moved in the matter, drafted an interpellation asking the Minister of the Interior to explain Azeff's rôle in the police, and drew from Stolypin a speech which convinced everybody of the Premier's good faith, but left the parties with the opinions and feelings they had entertained at the outset.

In the course of the debates some curious side-lights were thrown on the doings of the secret agents, but none of the sensational disclosures were made which the Opposition press had boastfully announced. Democratic orators contended that the whole system was essentially immoral and should be swept away at once, but their friends in the Legislature weakened the force of this statement by admitting that if they themselves were in power they would feel obliged to perpetuate it as an indispensable evil. All parties professed regret that it should be necessary to employ men whose qualifications for the service implied the negation of all morality, but each group implicitly shielded the traitors to the opposite cause. The Premier laid down the reasonable doctrine that a police agent who organizes a crime or abets a criminal, even though his intention be to thwart the nefarious plot, is himself an offender and should receive condign punishment. His adversaries replied that the principle was excellent, but that it had never been carried out. The secret police system and the crying abuses that flourish under its shadow are but surface manifestations of Russian political life. The undercurrent of national existence flows steadily on independent of them. And this strong, steady and invisible stream is silently undermining the groundwork of what are now to all appearance the most stable institutions of the Empire.

WASHINGTON, *March, 1909.*

PRESIDENT TAFT'S inaugural address began with recognizing not only a general responsibility to the Constitution and the country, but also a special obligation to the outgoing Administration. Recalling the fact that he had been one of the advisers of his predecessor, he added that he should be untrue to his personal promises and to the declarations of the platform of the party on which he had been elected if he did not make the maintenance and enforcement of his predecessor's reforms a most important feature of his own Administration. Those reforms had been directed to the suppression of the lawlessness and abuses of power of the great combinations of capital invested in railways or in industrial enterprises carrying on interstate commerce. To render those reforms lasting, however, and to assure, at the same time, freedom from alarm on the part of those pursuing proper and progressive business methods, it was necessary, in Mr. Taft's opinion, that further legislative and executive action should be taken. That is to say, there will be no resting on the oars, but it makes, nevertheless, a great difference with what energy and in what direction the oars are pulled. We shall have received light on those subjects before the first year of the new Administration shall have passed, and probably before the special session of Congress shall have come to an end. Mr. Taft seems to be looking both ways when he calls to mind that relief of the railroads from certain restrictions of the anti-trust law had been urged by his predecessor, and when he goes on to declare that it will be urged by him—yet, nevertheless, in the next sentence says that, on the other hand, the new Administration is pledged to legislation looking to a proper Federal supervision and restriction, to prevent excessive issues of bonds and stock by companies owning and operating interstate commerce railways. The hope was expressed by Mr. Taft that he should be able at the first regular session of the incoming Congress in December next to submit definite suggestions in respect to the needed amendments of the anti-trust and the interstate commerce laws, and the changes consequently required in the Executive departments concerned in their enforcement.

Although, out of deference to the stress laid on the regulation of Trusts by his predecessor, Mr. Taft gave to that topic the foremost place in his inaugural address, he quickly went on to

say that the matter which would be of most pressing importance would be the revision of the tariff, and to that end he should call Congress into extra session on the 15th day of March, in order that consideration may be given at once to a bill revising the Dingley Act. The new bill, he explains, should aim, in the first place, to secure adequate remedies for acknowledged grievances, and, in the second place, so to adjust the duties as to afford to labor and all industries in this country, whether of the farm, mine or factory, such protection by tariff as shall be equal to the difference between the cost of production abroad and the cost of production here. Mr. Taft, also, lost no time in proclaiming himself an advocate of a provision which should put into force—upon the executive determination of certain facts—a higher or maximum tariff against those countries whose trade policy toward us shall equitably require such adverse discrimination. The opinion is expressed by the new President that there has been such a change in conditions since the enactment of the Dingley Act, itself based on a similarly discriminative principle, that the maximum and minimum expedient above described will *permit* the reduction of rates in certain schedules, while it will imperatively require the advancement of few rates, if any.

Mr. Roosevelt himself was no more convinced than is Mr. Taft of the necessity of preparing betimes for war, in order to make sure of the maintenance of peace. We should have, the new President declares, an army so organized and so officered as to be capable in time of emergency of expanding rapidly—in cooperation with the national militia, and under the provisions of a proper national volunteer law—into a force sufficient to resist all probable invasion from abroad, and of furnishing a respectable expeditionary force, if necessary, to uphold our traditional American policy, which bears the name of President Monroe. Mr. Taft reiterates the warning uttered by many a preceding Chief Magistrate since Samuel J. Tilden, the warning, namely, that our coast fortifications are as yet in a state of only partial completeness, and that the number of soldiers to man them is insufficient. He sees much improvement in the recent past, however, and hopes for more in the immediate future.

What Mr. Taft says of the army he would reaffirm in an even more emphatic way of the navy. It is patent, on the face of things, that a modern navy cannot be improvised. It must have

been constructed and be in existence, if not actually in commission, when the emergency arises which calls for its use and operation. Mr. Taft, in his inaugural message, reiterated all the reasons which, from time to time, have been given by Mr. Roosevelt in favor of the policy of maintaining a strong navy considered as the best conservator of peace with other nations, and as the best means of securing respect for the assertion of our rights.

The new President is as firmly convinced as was the old that the promotion of a great navy is not conducive—as it is sometimes charged with being—to the development of a warlike spirit. The record of the international policy followed by us at periods when we have possessed considerable sea power shows that we have refrained from no effort consistent with national honor to avoid a resort to arms. We have favored every instrumentality exemplified in The Hague Tribunal, and in arbitration treaties negotiated with an eye to using them in all international controversies for the purpose of preserving peace and averting war. Mr. Taft points out, however, that we should be blind to existing conditions, and should allow ourselves to become foolish idealists if we did not realize that, with all the other nations of the world armed and prepared for war, we must keep ourselves in a similar condition, in order to prevent other nations from taking advantage of us; of our inability to defend our own interests, and to make good our rights with the strong hand.

There are few features of the inaugural message more deserving of careful attention than Mr. Taft's earnest reference to the fact that the admission of such Asiatic immigrants as cannot be amalgamated with our population has been made the subject either of prohibitory clauses in our treaties and statutes or of strict administrative regulation secured by diplomatic negotiation. A hope is expressed that we may continue to minimize the evils likely to arise from such immigration, by averting unnecessary friction, and by mutual concessions between self-respecting governments. Hope is well enough, but meanwhile Mr. Taft recognizes that it is our duty to take every precaution to prevent —and such prevention failing—to punish outbursts of local or race feeling among our people against foreigners of whatever nationality who possess by solemn grant from us treaty rights to pursue lawful business within our borders, and to be protected against lawless assault or injury.

The new President is led by special professional experience to discuss the matter from a judicial point of view, and to point out a serious defect in the present Federal jurisdiction, which ought, in his opinion, to be remedied forthwith. Having promised to other countries by the solemn assurance of treaties the vigilant and effective protection of our laws, to such of their subjects or citizens as we permit to come within our jurisdiction, we now, as a matter of fact, leave to a State or a city, uncontrolled by the Federal Government, the duty of performing our international obligations in this vital respect. It is President Taft's conviction that we may, and ought to, place in the hands of the Federal Executive a means of enforcing the treaty rights of such aliens through the courts of the Federal Government. It puts, he declares, our national Administration in a pusillanimous position to enter into definite engagements to protect aliens and then excuse the failure to fulfil such engagements on the pretext that the duty to keep them is imposed by our domestic law upon States or cities, and does not constitutionally lie within Federal control. If that hitherto has been the fact under the Constitution, it should at once cease to be one.

In that part of the inaugural message which is concerned with recommended changes in our currency laws, attention is directed to the fact that extensive investigations have been undertaken at home and abroad by the International Monetary Commission, with the purpose of giving full consideration to existing conditions and to all suggested remedies. The wish is expressed that no local or historical prejudice will prevent Congress from profiting by the outcome of such wide researches; but meanwhile the incoming Federal Legislature is reminded of the duty of fulfilling promptly a definite promise of the Republican platform by passing a proper postal savings-bank bill. President Taft denies that such a measure would be chargeable with unwise or excessive paternalism. He insists, on the contrary, that the promise of the Federal Government to repay savings deposits will furnish an inducement for making deposits which no private enterprise could supply. Such a measure, says the President, will offer the absolute security which makes the proposed scheme of Government guarantee of deposits at once alluring and free from the danger of pernicious results.

THE EDITOR'S DIARY.

More about "Yankee Doodle."

THE origin of "Yankee Doodle" and the specific meaning of its quaint and antique phrases seem to form a subject of wide and constant interest to a great number of people in all parts of this country. Since we discussed that subject at some length in the Diary, we have been favored with many communications regarding it from interested readers. The following letter, which comes from a student of history who resides in Los Angeles, California, contains some ingenious suggestions:

"SIR,—I have read your 'Yankee Doodle' article in THE NORTH AMERICAN REVIEW. It covers ground over which I travelled painstakingly, painfully and particularly while I was digging out a few old and forgotten facts regarding various passages of history. I am satisfied—am certain—that Yankee is a corruption of the word English. However, it is not a straight corruption. It came by way of French. *Les Anglais*, said the French, during the French-Indian War, the conquest of Canada, etc. *Les Yangais*, said the Indians. Yankee is a comparatively modern spelling. During the War of 1812 the word was still being spelled Yankie.

"In your quotation of the old cavalier jingle, 'Nankey Doodle,' which is meaningless, should be 'Nunkey or Nunkie Doodle'—*i.e.*, 'Uncle Doodle,' 'Old Noll Cromwell,' 'Nunkie Noll.' The last two lines of the quatrain beginning 'Nunkie Doodle came to town' should be,

"'Stuck a feather in his cap
And called out "Macaroni."'

"The 'feather in the cap' was one of the marks of the cavalier. We still use the expression, 'That will be a feather in your cap.' 'Macaroni,' until the eighteenth century, was the English equivalent of 'dude,' 'swell,' 'toff,' etc. Uncle Doodle came to town mounted like a cavalier, but only on a ridiculous little pony. He stuck a cavalier feather in his Puritan hat and called out, 'I am the big swell. I am IT.'

"I am, sir, etc.,

"DAVID A. BAILLIE."

Of the "Typical" American Woman.

THE following comes from Orchard Lake, Livingston Manor, New York:

"SIR,—Judging from your talks about women, you will surely be able to answer a question about the ideal heroine in modern fiction. In following up an article by Mrs. Ward in the 'Federation Bulletin' on the *Eternal Womanly*, I wanted to speak of the development of the ideal heroine from the time of the author of 'Queechy' to the heroine of, —and here I was obliged to substitute 'Marcella,' not being able to recall a heroine that represented the intelligent, cultured, conscientious club-woman of to-day. It is the typical American woman I am speaking of, but I could not recall her in fiction. *Why is that?*"

You could not recall her because she does not exist. There is no "typical American woman" in recent fiction. The composite indicated by the phrase would be a strange product if by any synthesis it could be produced. It is *individual*, not *typical*, character that our best novelists, like Howells and Mrs. Deland, create.

ESPERANTO NOTES.

THE standing Committee on Congresses, having definitely decided to hold the Sixth Esperanto Congress (1910) in the United States, the Fifth will accordingly be held in Barcelona, Spain, September 5-11, 1909. For the benefit of those of our readers who are planning to go (and we advise all who can to make the trip), we print some information concerning the *Kvina* as presented by *"La Revuo"*:

"Ĉiam pli ĝojigaj estas la sciigoj alvenantaj de Barcelono.

"La Kvina estos belega.

"*Loĝado kaj manĝado.*—La loka komitato plene kaj definitive aranĝis la aferojn pri la loĝado kaj manĝado kun la Societo de la Hotelmastroj, kiu estas tute favora al ni, kaj kie oni malfermis kurson de Esperanto, tiel ke en la hoteloj oni komprenos kaj parolos nian lingvon.

"Estos tri malsamaj prezoj: 5 *pesetoj*, 7½ *pesetoj* kaj 12 *pesetoj*, por unu tago.

"En la suprecititaj prezoj estas enkalkulitaj la prezoj de: dormoĉambro kaj tri manĝoj, matenmanĝo je la 7a aŭ 8a, tagmanĝo je tagmezo, vespermanĝo je la 7a vespere.

"La malsameco de la prezoj dependas de la komforto; kompreneble, kiu pagos 12 pesetejn estos pli komforte, ol tiu, kiu pagos nur 5 pesetojn. La diferenco estos precipe en la komforteco kaj eleganteco de la dormoĉambro; sed eĉ por la malaltega prezo da 5 pesetoj por tago, la kongresanoj estos tre bone servitaj kaj nutritaj.

"Konsekvence la loka komitato baldaŭ pretigos vendotajn biletojn valorantajn por *septaga* restado en Barcelono, kiuj kostos do, por la sep tagoj: 35 pesetojn, 52½ pesetojn aŭ 84 pesetojn.

"La kongresanoj, kiuj deziros restadi pli longe en Barcelono pagos senpere al la hotelmastro la pliajn tagojn *laŭ la kongresa tarifo.*

"Ne estas eble imagi pli favorajn pli malmultekostajn kondiĉojn.

"*Vojaĝado.*—La loka komitato sin okupos *nur* pri la vojaĝbiletoj de la limo ĝis Barcelono, t. e. de *Port-Bon* al *Barcelono.* La rabata prezo ne estas ankoraŭ fiksita.

"Krom tio ĝi ankaŭ sin okupos pri la *postkongresaj ekskursoj* tra la kongreslando. Ĉiuj scias, kiom pitoreska kaj vidinda estas la lando de Don Kiĥoto, kaj bone organizitaj travojaĝoj estos certe forta allogilo por la eksterlandanoj.

"*Kongresa libro kaj afiŝoj.*—La *kongresa libro,* kiu estos *donacita* al ĉiu kongresano, kiu enskribigos sin kaj *pagos* sian kongreskarton **antaŭ la 1a de Julio,** estas jam en preparado. Ĝi estos belega kaj interesplena memoraĵo de la urbego Barcelono.

"Plie artplenaj *afiŝoj* en granda formato, belege presitaj kaj kolorigitaj, estos dissenditaj, por esti gluitaj sur la muroj de la ĉefurboj de la mondo. Tiel per fulguraj anonciloj ni povos sciigi al la miriganta *Mondo* la proksiman triumfon de Esperanto.

"Espereble la kongresa libro kaj la afiŝoj estos pagitaj de la Urbestraro de Barcelono, ĉar ĉiuj konsilanoj de la Urbo, apartenantaj al plej diversaj politikaj opinioj, unuanime estas favoraj al nia esperanta movado.

"Tio eble estas unu el la mirakloj naskitaj de nia kara lingvo!

"*Monsendado.*—Oni scias, ke estas malfacile sendi monon al Hispanujo, ĉar tiu lando ne eniris la poŝtan unuiĝon, kaj *ne ekzistas internaciaj poŝtmandatoj* inter Hispanujo kaj ceteraj landoj. Oni do nur povas sendi monon per *ĉeko* pagebla ĉe iu banko. Tio estas vera malhelpaĵo. '*La Revuo*' sin okupis pri tio, kaj, konsente kun la loka komitato, trovis facilan rimedon.

"Tiu rimedo estas: '*La Revuo*' *akceptos enkasigi la monon por la kongreso.* Ĉar estas tre facile sendi monon per poŝtmandato al Francujo, tio tre faciligos la monsendon.

"Cetere ni baldaŭ, kiel ĉiujare, enmetos en '*La Revuon*' specialan *enskrib-folion* tute pretan. Sufiĉos, ke niaj legantoj plenigu tiun demandaron kaj mendilon, kaj sendu ĝin al '*La Revuo*' *kune kun la responda mono.*"

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A NEW ERA IN LEGAL DEVELOPMENT.

BY HANNIS TAYLOR.

When in 1814 Savigny, the founder of the historical school of jurisprudence, published his "*Beruf unserer Zeit,*" he made a revelation to the world through his declaration that law is part and parcel of national life. "I regard the law of each country," he said, "as a member of its body, not as a garment merely which has been made to please the fancy, and can be taken off at pleasure and exchanged for another." Instead of regarding law as the creation of the will of individuals, he maintained it to be the natural outcome of the consciousness of the people, like their social habits or their language,—the people, he said, is always the true legislator (*"Das Gesetz ist das Organ des Volksrechts"*). He, therefore, assimilated changes in law to changes in language:

> "As in the life of individual men no moment of complete stillness is experienced, but a constant organic development, such also is the case in the life of nations, and in every individual element in which this collective life consists. So we find in language a constant formation and development, and in the same way in law."

The real source of Savigny's inspiration is thus to be found in the work of the group of scholars who, just before his time, had created the science now known as Comparative Philology, which has revolutionized the thought of the world, not so much through

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its marvellous revelations, as by the discovery of the new method of comparative investigation that made such revelations possible Out of the application of the new method to fresh subject-matters have since arisen Comparative Mythology, Comparative Politics and Comparative Law. By the aid of the two sciences last named, a flood of light has been shed upon the processes through which the aggregate, generally known as "government" and "law," emerged from progressive history in the nations that have made the deepest impress upon civilization.

The most important single outcome of Comparative Politics—which may be called the science of state-building, the science of constitutions—is embodied in the discovery that the only two conceptions of the state known to the ancient and modern world have been and are represented by aggregations or federations in which the starting-point was the village community. The typical modern state in Britain, known as England, represents an aggregation of shires; each shire an aggregation of hundreds; each hundred an aggregation of village communities or townships. The power to subdue and settle a new country and then to build up a state by the process of aggregation constitutes the strength of the English nation as a colonizing nation. By that process, capable under favorable geographical conditions of unlimited expansion, has been built up the Federal republic of the United States. After thus unfolding the origin and growth of political constitutions, ancient and modern, Comparative Politics has undertaken to classify and label such constitutions as buildings and animals are classified and labelled by those to whom buildings and animals are objects of study. Not until the history of the outer shells or constitutions of states had been thus subjected to critical examination at the hands of Comparative Politics did Comparative Law undertake to unfold the history of such bodies of interior or private law as have existed as distinct codes. The outcome is the discovery that there are existing in the world to-day only five distinct systems of law: the Roman, the English, the Mohammedan, the Hindu, the Chinese. A survey of the geographical areas thus occupied discloses the fact that about nine-tenths of the civilized world is now dominated by Roman and English law in not very unequal proportions.

When the state system of modern Europe, in which the state as the nation is the unit, swept away and superseded the ancient

state system in which the city commonwealth had been the unit, the public law of Rome, constitutional and administrative, was rejected because inapplicable to widely divergent political conditions. What did survive was the private civil law of family and property, of contract and tort, based on principles of natural equity and universal reason which have not lost their force with the altered circumstances of more recent times. It is that system of Roman private law which became the basis of the codes of the Continental nations, whence it passed into Mexico, Central and South America, to certain states in South Africa, as well as to Scotland and Louisiana. On the other hand, it is the public law of England that has had the widest extension, and is exercising by far the most potent influence, by reason of the fact that the English constitutional system stands out as the accepted political model after which have been fashioned the many systems of popular government now existing throughout the world. Since the beginning of the French Revolution, nearly all the states of Continental Europe have organized national assemblies after the model of the English Parliament in a spirit of conscious imitation. Not, however, until the typical English national assembly, embodying what is generally known as the bicameral system, had been popularized by the founders of the Federal republic of the United States, was it copied into the Continental European constitutions. Nothing is more interesting in the institutional history of the world than the approaches now being made to the constitutional system of the United States by Mexico and the states of Central and South America. In some instances in Latin America, states approach very closely, so far as their constitutional law is concerned, to the English original as modified by American innovations; in others, Federal states are organized on the American plan, with certain reservations. But, no matter to what extent a Mexican, Central or South-American state may adopt English constitutional law in the structure of its outer shell, its interior code of private law is invariably Roman,—a fact equally true of every Continental European state whose constitution has been founded on the English model.

After thirty years of study in Comparative Law, the idea dawned upon me while I was analyzing the existing state systems of the Latin-American republics,—whose constitutions are substantially English and whose private law is substantially Roman,—that a

world-wide fusion is now going on between the two systems, out of which is arising what I have ventured to term the typical state-law system of the future. In announcing this new thought, in the preface of a book lately published, I have said:

"Jurists who view the existing state system of the world as a connected whole cannot fail to perceive, when their attention is specially directed to the subject, that, within a century, in the blending of Roman and English law there has occurred a phenomenon that marks a turning-point in the history of legal development. After centuries of growth, Roman public law, constitutional and administrative, perished, leaving behind it the inner part, the private law, largely judge-made, which lives on as an immortality and universality,—as the fittest it survives. In the same way and for the same reason, English public law, the distinctive and least alloyed part of that system, is living on and expanding as the one accepted model of popular government. The phenomenon in question is presented by the blending now going on between the strongest elements of Roman and English law in the state systems of Continental Europe, in those of Latin America and in that of the State of Louisiana. If the existing state system of France is taken as a typical illustration, we there find the outer shell of the state, the system of parliamentary government, to be purely English through deliberate and recent imitation, while the interior code of private law is essentially Roman. The same thing may be said of every other Continental European state having a parliamentary government. In the state system of Louisiana, we find the outer shell of the state to be English, as modified by American innovations, while the interior private law is based on the Code Napoléon. The same thing is true of the seventeen Latin-American republics which have adopted English constitutions in the North-American form, while retaining the private law drawn from Roman sources. Is it not, therefore, manifest that, out of this blending of Roman and English law, there is rapidly arising a typical state-law system whose outer shell is English public law, including jury trials in criminal cases, and whose interior code is Roman private law? This far-reaching generalization, now submitted to the consideration of students of the Science of Jurisprudence for the first time, so far as the author knows, has been subjected in advance to the searching and approving criticism of a few of the most eminent jurists of the English-speaking world."

As one of the greatest critics in this domain was near at hand, I naturally submitted my generalization on this subject to the Right Honorable James Bryce. The manuscript, with his comments upon it, was then forwarded to Professor Thomas Erskine Holland, who wrote from Oxford in reply:

"In particular (with Mr. Bryce) am I struck with the truth and originality of what you say (on p. 9 of the Preface) as to the 'English

public law as the outer shell and Roman private law as the interior code,' and must look forward to your promised illustration of this idea in a full chapter on Latin America—as you say an unploughed field."

After the publication of my book, I hastened to submit my new thought as to the fusion now going on between Roman and English law to the greatest Romanists of Germany—Dr. Rudolph Sohm and Dr. von L. Mitteis of the University of Leipsic. I was grateful, of course, when the latter replied:

"The idea of representing the operation of Roman and English law in universal historical relations is as fruitful as it is splendid, and I have found in your book a great deal of instruction and inspiration. . . . I, as a Romanist, am particularly delighted to find a comprehensive appreciation of the lasting and immortal significance of the Roman law in the most distant regions, and have found in it a mass of facts with which I was unfamiliar. The combination of English and Roman elements of law which you portray is most interesting."

Dr. Sohm, after insisting upon certain qualifications of my formula, said:

"Your thesis of the two legal systems of the world, the Roman and the English, and the extension over the civilized world, on the one hand, of the English public law, and on the other of the Roman private law, embraces a positive element of truth, and expresses plastically certain directions of legal development, and gives a clear picture, portrayed with powerful lenses, of the broad course taken by legal history."

After I had pointed out to Dr. Sohm that all of the qualifications upon which he insisted were fully stated in the body of the book, he at once withdrew all objections, saying:

"So that our conceptions in actual results are essentially identical and only leave differences in tone and manner of presentation. The principle formulated by you has, however, the great advantage of compressing into a short statement a thousand-year period of legal development, by means of a few words presenting a sharply defined picture of an enormous mass of material."

As my thesis relates specifically to the Latin-American world, I next submitted it to the most eminent jurist from that quarter, Señor Nabuco, now Brazilian Ambassador at Washington. He answered:

"By turning co-ordination into synthesis, you show the link between masses of facts apparently separate. There are in history two magnificent fabrics of social discipline and organization: the Roman private law and the English political or public law. It would be impossible

to survey the whole field of either without wondering at their breadth, their solidity and their finality. You are the first, however, to merge the two into a common concern; that is, to blend together the spirits of unity and liberty, which characterize respectively the old and modern civilizations. That conception of yours is eminently suggestive and full of potentialities for new scholars; it will give a new interest both to the study of Roman law and of English institutions."

I next submitted the matter to Dr. John Westlake, the great authority on international law at the University of Cambridge. He answered:

"This is a sane and fruitful generalization. By giving its due part to each of the two influences in history, it should assist in bringing peoples to understand one another. The Romanist should learn to study respectfully the modifications which the English common law has made for itself in Roman private law, and the English lawyer should learn not to boast as if his common law were all, or even in the main, his national creation. Each may be content with the great claim which, barring some modifications, is allowed him."[1]

Judge Shackelford Miller, Dean of the Jefferson School of Law and a specialist in comparative law, has said in a very careful and extended review:

"The generalization of the fusion of Roman and English law, now first worked out by Dr. Taylor, is an entirely new contribution to legal and political science. Like the accurate and profound generalization of Maine, that summed up the agencies of legal progress in Fiction, Equity and Legislation, this new and equally accurate and profound generalization of Dr. Taylor must be readily accepted by students of jurisprudence everywhere."

These clear and positive expressions of approval from famous jurists of different nationalities have been thus placed in juxtaposition in order to illustrate the consensus of view as to the soundness of a generalization whose far-reaching importance has not yet been estimated.

As an illustration of the process of evolution in which the fittest survives, nothing can be more remarkable than the survival of Roman private law as the fittest part of the Roman system, the survival of English public law as the fittest part of the English system, and the sudden fusion of the two survivals, under the eyes of men now living, in a new and world-wide combination. The cause of the transition that has taken place, within a little more than a cen-

tury, from the old or artistic method of historical investigation to the new of sociological, is to be found in the consciousness that the system of permanent, uniform and universal law that regulates growth and decay in the physical world applies as well to the growth and decay of societies and their institutions as to other phenomena. The French Revolution gave a strong stimulus to that kind of consciousness; and the French scholars who were nearest to the upheaval that brought suddenly into view the underlying social forces which had lain ominously silent during the dreadful calm of the latter days of the *ancien régime* were the first to undertake, after the Peace of 1815, the mighty task of rewriting the history of the world from the new point of view. Auguste Comte raised himself to the level of Leibnitz and Descartes by perceiving that social organization must be viewed and explored as a whole, because of the connection between each leading group of social phenomena and every other leading group, so intimate as to make a change in one result in a corresponding modification in all the rest. Not long ago, Mr. Justice Holmes observed "that the tendency of our age to 'explain things' by stating the conditions under which they came into being, and noting their growth under the influence of a varying environment from age to age, is as strongly marked in the field of law as in other departments of intellectual activity. This method of legal study has done, and is doing, a great work for English and American law, placing particular doctrines in their proper places, making plainer the relations of one part of the law to another, sweeping away cobwebs of tradition, and separating the essential from the accidental in respect to institutions." That method of study has been still more fruitful in the domain of Roman law. Jurists of the historical school now perfectly understand that jurisprudence is a Roman creation, legal science a Roman invention.

The very division of all law into public and private, as stated and understood by the Romans, has been transmitted without change to the modern world. As Roman private law was formulated by the mighty line of Pagan jurists that came to an end before Christianity ascended the Imperial throne, it is not strange that the Digest, into which their works were condensed, is silent as to its offices and institutions. That human, heathen Digest embodies the science of life as it existed at Rome before the social

fabric was affected by Christian influences.* When at the outset it became necessary to adapt the rigid system of archaic law embodied in the Twelve Tables to the growing wants of an expanding society, the prætorian edict became the channel through which the *jus gentium* flowed into and enriched the primitive system. Thus, in a rough and general way, the edict was able to work out the principles of a free and equitable law for the mutual dealings of man with man. In solving the finer problem—which involved the discovery of the true nature of these dealings themselves by tracing the unconscious intention underlying them to a moral source—the Roman jurists displayed their highest genius in ascertaining the precise requirements of *bona fides* in human transactions, and in applying them to individual cases. Those precise requirements, by standing the test of time and experience, have secured for Roman private law its imperishable power. Roman civilization gave birth to only one original creation that has survived—Roman private law.

The conquering nations, moving in entire order, that settled down upon the wreck of the Roman Empire, brought with them from the forest and the steppe a new scheme of state organization, out of which has finally emerged the new conception of public law now dominant throughout the world The political systems of all the Teutonic nations, as they appear to us when written history begins, contained the germs of the representative principle, and in every one of the modern European states that have arisen out of the settlements made by the Teutonic nations on Roman soil a serious attempt has at some time been made in the direction of representative government. But the remarkable fact is that, in every Continental state in which such an attempt was made, it ended at last in failure and disappointment. By the sixteenth century, every effort in the direction of representative government upon the Continent of Europe had come to an end. In the words of Guizot: "Pure monarchy prevails. England alone obtains a constitutional government. This epoch lasts from the sixteenth century to the French Revolution."† In England only among the Teutonic nations did the representative system, which

* "*Une science nouvelle naquit, indépendante et laïque, la science de la société civile, telle que l'avaient dégagée les Romains, et qui pouvait passer pour le chef-d'œuvre de la sagesse humaine.*" Esmein, "*Cours d'histoire du droit français*" (ed. 2), p. 347.

† "History of Representative Government," p. 258.

has been called "a Teutonic invention," survive. In that way, the English nation has been able to hand down the representative principle from the barbarian epoch to modern times; in that way, England has become the "mother of parliaments"—the teacher of the science of representative or constitutional government to all the world. Since the date of the French Revolution, nearly all the states of Continental Europe have modelled their constitutions upon that of England in a spirit of conscious imitation. The "British political model was followed by France, by Spain and Portugal, and by Holland and Belgium, combined in the Kingdom of the Netherlands; and, after a long interval, by Germany, Italy and Austria."* By a perfectly natural process of reproduction, the English constitution reappeared, in a modified form, in what may be called the typical English states in North America, out of whose union arose the Federal republic of the United States. As thus modified by reproduction the English constitutional system passed to South America, where it dominates in the state organization of every one of the seventeen Latin-American republics. If a state may be compared to a watch, its outer shell or case represents the state's political constitution or public law, while its inner mechanism represents the state's interior code or private law. With that illustration clearly in view, it is easy to comprehend at a glance the nature of the union of two distinct systems of law in a new combination, as that combination now appears in the state-law systems of Continental Europe and Latin America. Everywhere the outer shell of the state, the public or constitutional law, is English by conscious adoption since the French Revolution, while the inner mechanism or private law is everywhere Roman. If Napoleon were now alive, he could say: "This union of the strongest parts of the two great law systems of the world has all taken place under my eyes." That fact should help us to realize the suddenness with which the two survivals,—Roman private law and English public law,—after ripening for ages in isolation, have united in a new combination.

What is to be the practical outcome of the creation of this typical state-law system of the future in which the public law is to be English and the private law Roman? Japan in sweeping into the circle of civilization has followed the formula. She

* Maine, "Popular Government," p. 13.

has modelled her parliamentary constitution on that of England, while the deep infusion of Roman private law with which she has supplemented her ancient code has been drawn from Germany. The same process is in motion in Russia and Turkey. It is obvious that the study of the two systems must become universal. No man can hereafter claim to be a jurist, in the full sense of that term, until he has mastered English public and Roman private law. Long ago there was a revival in the English universities of the study of Roman law, which has extended to this country, where interest has been quickened in the subject by the closer relations recently established with Cuba, Porto Rico and the Philippines. As all students of public law throughout the world centre their thoughts upon a single type, a single conception of constitutional government will crystallize, which will be subject only to local variations in each country. Through the same process there will be an assimilation out of which there should arise a universal code of private law, embodying a system of rules substantially identical as to property and contracts, and enforceable through a uniform system of civil procedure. The commercial law of all civilized nations is everywhere substantially the same, and nothing is more marked than the tendency now growing among English-speaking peoples on both sides of the Atlantic to substitute for common-law pleading the more convenient and reasonable forms of procedure in use during the later Empire, and now known in the United States as "the reformed code procedure." There is an equally strong tendency here in the commercial cities to withdraw complicated business transactions from the consideration of juries in order to submit them to a referee *(judex)*. As more rapid intercommunication draws the nations of the world closer together, the longing increases for a universal private law—that is, for a universal conception of legal right, capable of embodiment in a code of substantive and adjective law. That result will become more and more possible as Roman private law becomes more and more nearly universal.

HANNIS TAYLOR.

NICOLAI PETROVICH REZANOV.

BY GERTRUDE ATHERTON.

THE 27th of September, 1804, was a memorable day for Russia. Her first embassy to Japan entered the waters of that most mysterious, inhospitable, desirable Empire. Baron Rezánov, Chamberlain and Privy Councillor, favorite of fortune and subtle pilot of three Imperial brains, longing for new fields to conquer, had come at his own suggestion to establish commercial relations between Russia and Japan. Failure was a word as incomprehensible to Rezánov as to the rising Bonaparte; and on this radiant morning, when the "Nadeshda" (Hope) bearing himself and suite sailed into Japanese waters not far from Nagasaki, it being the anniversary of the coronation of Alexander I, he summoned all on board to the deck and made them a speech. Rezánov was admitted by even his enemies to have "the greatest possible command of the Russian language"; but, as this speech (*vide* Langsdorff's "Voyages and Travels") was translated from Russian into German and thence into English, little but its essence remains. Nevertheless, the words echo down the century with the ghosts of many another ambition long since dead and dust.

"Russians: In our voyage round the world we are at length arrived in the waters of Japan. Love of country, dignity of soul, defiance of danger, perseverance, subordination, mutual esteem, gentleness and forbearance one toward another—these are the characteristics that distinguish the Russian seamen, these are the virtues by which the Russians in general are distinguished.

"You, officers of the Navy, well have you deserved the gratitude of your fellow citizens! You have already acquired a degree of renown of which even jealousy can never deprive you.

"You, cavaliers and associates of the Embassy, my worthy companions and assistants, there still remains to us the accomplishment of the brilliant object of our long and hazardous voyage—the opening to our country of new sources of wealth and knowledge. And you, sailors,

cherished children of the sea service, rejoice! The happy end of your diligent labors is almost attained.

"Long have our hearts and minds been united in serving with zeal the excellent Monarch by whom we are deputed to this part of the world; and may gratitude toward this beloved ruler still strengthen and animate us in the performance of our arduous task! The present is a solemn day to all the sons of Russia, but to none so solemn as to us, who are entering the Japanese dominions, who are the first to see the glorious Russian flag wave in the harbor of Nagasaki.

"As representative of our great Emperor, and as the witness of your admirable performance of duty, it was no less flattering to me to share your toils and dangers than it is gratifying solemnly to assure you of the gratitude which awaits all of you in our dear native country.

"I solemnize this festival of Alexander the First's coronation in the waters of Japan, and I make it forever memorable to you in this first reward of your services. You have here the likeness of our beloved Emperor. Wear it as your chief ornament. Wear it as a testimony of zeal and diligence in his service. Recollect always in beholding it that this imposes upon you still more deeply the obligation of continuing true to those duties of which your forefathers were so proud, and by which they reached the high pinnacle of fame. You will learn to bless the times in which the merits of the least of Alexander's subjects, even in the remotest parts of the world, do not pass unrewarded, and from the Throne itself."

The Ambassador then decorated each member of the enthusiastic crew with a medal which had been struck for the Tsar's coronation and which framed a portrait of Alexander's handsome manly young face. "The ceremony seemed approved by heaven," writes Dr. Langsdorff, the surgeon and naturalist attached to the expedition, "for the day was more than usually beautiful and serene. At a jovial dinner the health of our august Emperor was drunk, when the Sea of Japan resounded, for the first time, to the thunder of Russian cannon!"

Rezánov, one of the ten barons of Russia, had won his court title of Chamberlain (by which he was commonly known) in accordance with a law of Peter the Great, who justly despised the "princes" with whom his vast and savage Empire swarmed. Some were great chieftains, with thousands of serfs and retainers, others but the despots or rich men of small communities. Peter, though he transformed a favored few into Counts and Barons—titles borrowed from Germany and highly prized—decreed that his nobles without exception should hold rank at court by virtue of certain court titles, to be acquired by hard work and distinguished

services. This law continuing in force during the reigns of Catherine the Great and Paul VIII, Rezánov, born in 1764, won his court title of Chamberlain by his exertions in the Senate, his services to the Admiralty and to the shipbuilding industry in Eastern Siberia, his patronage of art, literature and science; above all, by his incomparable management of the great Russian-American Company. Upon the accession of Alexander he became a member of the Privy Council.

When Shelikov, the Siberian fur-trader and merchant, visited St. Petersburg in 1788 Rezánov, then a young man of twenty-four, contemptuous of life at the most dissolute court in Europe, already sensible of his uncommon talents and energies, met the great colonizer by chance and immediately became interested in his plan to obtain a monopoly of the fur trade in the islands and territories added by the Golikov-Shelikov Company to Russia, a monopoly which would not only increase vastly the wealth of the stockholders, but prevent the wholesale slaughter of sables, seals, otters and foxes by small traders and foreigners. Rezánov became a partner in the Company and developed an astonishing capacity for business and hard work. When Shelikov died in 1795, having obtained from Catherine but a half of the power and privileges he had solicited, his new partner's ambitions had far outrun his own. The two leading companies had been amalgamated, several others had been drawn in, ships and factories had been built and protected by forts; but it remained for Rezánov to father the first great Trust put into operation upon American soil. For this a charter was necessary. Opposed by the enemies of the Company and by the Admiralty—always jealous of the Civil Service—it was no easy matter to win Catherine; peculiarly difficult for Rezánov, one of the handsomest men in Europe, who had developed his talent for finesse in dodging the honor of being added to the list of the Imperial courtesan's lovers. But although too fiery and impatient, as events proved, ever to be a successful diplomatist, Rezánov, with great ends to gain and up to a certain point, could play successfully every card of the subtle, supple, accomplished courtier. He managed Catherine with such consummate skill that she finally gave him her promise to sign the charter. Before the document was prepared she died. Paul was even more intractable. He was already imbued with a prejudice against the Company. The enemy had his ear.

Harrowing tales were told him of injustice and atrocities. He vowed he would put an end to the fur business altogether. Nevertheless, at the end of three years, he signed the charter. Rezánov was now the guardian of a Company granted, for a period of twenty years, full and exclusive privileges in hunting, trading, building and in all new discoveries over the vast region beginning from latitude 55 degrees north, and including the long chain of islands between Kamchatka and Alaska, and the archipelago between Kamchatka and Japan. Alaska contained over 500,000 square miles, and there were numberless other islands besides those included in the archipelagoes; all of them the haunt of the richest fur-bearing animals in the world.

That was in 1799. Paul was murdered in 1801. Alexander, young, ardent, ambitious, ascended the throne, and the most brilliant and energetic member of his court had no difficulty in persuading him to fit out an expedition to circumnavigate the globe and include a diplomatic visit to Japan. In 1803 the "Nadeshda" and the "Neva" put out of the harbor of Kronstadt; and, after a voyage of fourteen months, hazardous, uncomfortable, but scientifically valuable (during which Rezánov kept a diary that is preserved in the St. Petersburg Academy of Science), the ships separated, and the one bearing the Ambassador entered with pomp and pride the waters of Japan.

When it sailed into the harbor of Nagasaki the bay was covered with boats, the hills and wharves and fields and terraces swarming with an excited people. The scene looked like a flaming picture-book and had all the effect of a brilliant and enthusiastic reception; but it was to be from these chattering little creatures, whom no doubt Rezánov despised to the depths of his haughty Russian soul, that he was to receive the first humiliation that had checked his career. The Japanese cared not at all for amiable relations and commercial treaties with Russia; and, although too Oriental to say so plainly and at once, it was not long before Rezánov understood them and chafed angrily at the useless interviews and delays. It was only after much parley that the ship was permitted to remain in Japanese waters at all. Finally, however, it was towed to a sheltered position; and, after more parley, messengers left Nagasaki to carry to Kioto the news of the arrival of the Russian Embassy to the court of the Mikado.

Then began a series of polite but exasperating subterfuges, by

which the Japanese, no doubt, hoped to madden the haughty and impatient Russian into flinging duty to the winds and taking himself off in disgust. That Rezánov gave way to more than one burst of temper is certain; and the Japanese local officials, although they grinned and ducked and applied to Russia all the complimentary epithets in their mendacious vocabulary, had no illusions as to the Ambassador's opinion of themselves.

Rezánov, when he entered the harbor of Nagasaki, had been fourteen months at sea on a small vessel, with brief intervals to stretch his legs on land. He was constitutionally an active man, and his health had suffered. To his reiterated demands for the privilege of exercising on shore the Japanese, for a long time, turned a politely deaf ear. At last, however, they were made to believe that the Ambassador from Russia would die in their waters and that they would be held responsible. They had no more desire for war than for amity with the barbarians of the north and, after more parley, quarters were prepared for him at Megasaki, a narrow neck of land across the bay. The pleasure-barge of the Prince of Fisi was placed at his disposal; and, amidst another gala scene, the bay and hills covered with the populace in their finest attire, flags waving, kettle-drums beating, the barge containing Rezánov and his suite was towed to shore by a long line of boats decorated with flags. The sixty rowers of the boat sat with their arms folded, chanting the honor about to be conferred upon Japanese soil. Rezánov sat in the central compartment alone, surrounded by gorgeous lacquer-work, silken hangings, tapestries. But all this pomp was no consolation for the imprisonment that awaited him in the little fort and its meagre strip of land. Between chagrin and inertia he fell ill in earnest, the attack sharper and more lingering from the steady undermining of his constitution since his departure from Russia.

Nevertheless, he had no intention of leaving Japan without an interview with a "Great Man" from Kioto, were he denied the right of visiting the capital and presenting his credentials to the Emperor himself. At last the Japanese understood that, whatever his personal resentment, he would not forget the honor due to the Sovereign he represented; they were afraid to exasperate him too long, and one day the welcome news was brought him that a "Great Man" had arrived in Nagasaki and, representing the Mikado, would give him an audience on the following day.

Again there were endless pow-wows over the details of the interview. At that time Japan's only intercourse with the outside world was through a few Dutch traders, who submitted to all their humiliating conditions. The emissaries gave Rezánov to understand that he must prostrate himself before the "Great Man" from Kioto. The haughtiness of Rezánov's refusal may be imagined, although we have record only of the fact. He declined in the name of the Emperor of all the Russias, but, after more parleys, he consented, there being no chairs in the hall of audience, to sit on his heels for a few minutes.

Again he entered the Prince of Fisi's barge, and, if he looked anything like the full-length painting of him lost in the fire of San Francisco, which had been brought down from Sitka after the purchase of Alaska by the United States, he must have been a superb figure in his full Ambassador's costume—red sash, cocked hat and orders blazing on his breast. He had a tall, straight, commanding figure, a long pale face smoothly shaven, a long finely cut nose, a firm, rather large, mouth, eyes humorous and brilliant under heavy lids, and light hair which he wore short and unpowdered. At any court but that of Japan he would have been the most imposing figure in the diplomatic corps; but what impression can a man make while sitting on his heels?

And the interview amounted to nothing. If Japan had not dared to refuse an interview to the Tsar's Ambassador, it was within her right to decline the honor of a treaty with Russia, and this she did with many suave phrases and plausible reasons. Diplomatically, it was impossible to take offence. The magnificent presents of the Tsar, which had been tentatively accepted and gloated over long since, were returned, and a few days later Rezánov sailed out of the harbor, glad to turn his back on Japan, although wounded in pride and health.

When he arrived at Okhotsk he had been nearly two years absent from Russia and had received no letters. Two communications awaited him. Bonaparte had been crowned Emperor of the French, and the affairs of the Company were in a bad way. There had been reckless slaughter, famine, disobedience of laws, much dishonesty. Both the Tsar and the Company commissioned him to remain in the new dominion and reform all abuses.

Whether Rezánov remained willingly or not in this savage country after his long exile we do not know. Certainly, it offered him

a fresh range for his ambition and energy, and he accomplished his task as thoroughly as he did all things. Travelling slowly among the islands, he established measures to protect the fur-bearing animals from marauding foreigners and dishonest employees, punishing, banishing, rewarding. He also established libraries and schools—even cooking-schools. But the farther he travelled the more he appreciated the fact that, without a constant supply of the foodstuffs which the treaty with Japan would have insured, the Company would perish.

But Japan was not the only fertile country on the shores of the Pacific. Rezánov spent that winter—1805-6—in New Archangel (Sitka), the headquarters of the ablest of his managers, Baránhov. During months of incessant rain Rezánov heard often the tale of a wonderful strip of land between 40 degrees and 30 degrees, owned by Spain, sparsely settled, but rich in soil and climate; and, in the damp discomforts of that wretched winter, when, like his employees, he often had not enough to eat and was again ill, Rezánov, although he amused himself writing a lexicon of the Japanese language, matured his plans for the absorption of not only California, but what is now known as British Columbia and Oregon. On February 15th he wrote to Zapinsky, his correspondent in the Company:

"I think I may say that at the Columbia we could attract a population from various parts, and in the course of ten years we should be strong enough to make use of any favorable turn in European politics to include the coast of California in Russian possessions. The Spaniards are very weak in these countries, and if, in 1798, when war was declared by Spain, our Company had had a force corresponding to its proportions, it would have been very easy to seize California from 34 degrees to Santa Barbara—and to appropriate this territory forever, since the geographical position of Mexico would have prevented her from sending any assistance overland."

From a Yankee skipper named D'Wolf, who put into Sitka during the winter, Rezánov bought the little sloop "Juno" and the cargo of cloth, cooking and farming utensils, etc., common to small traders. With two young naval officers, Lieutenants Davidov and Khovstov, and the investigating Langsdorff, he set sail in March for California with the immediate double purpose of trading his cargo for breadstuffs and establishing a treaty by which the starving employees of his Company should receive constant cheer. His greater purpose would take time, and he must be

governed by circumstances. Rezánov, like Cecil Rhodes, was a dreamer; but, although he could foresee a great colonial future for his country under his own management, he had no glimmer of the romantic fate which alone was to keep his name alive.

When he reached the mouth of the Columbia River, although the seas were raging and the wind blew a hurricane, he made three attempts to enter the mouth of the river and plant the necessary plate inscribed with the claim of Russia to the surrounding country; but, as the little sloop nearly foundered each time and his sailors were ill with scurvy, he was forced to abandon the attempt. When he sailed into the Bay of San Francisco, on the 12th of April, the weather was magnificent.

The sight of the "Juno" flying the Russian flag created a mighty commotion in the little settlement, for there was a rumor abroad that Russia was at war with Spain. Apprehensions, however, were soon calmed, and Rezánov's credentials procured him the immediate hospitality of the Californians. The Presidio was surrounded by mud walls, and the low houses were made of the same material whitewashed and tiled; but the Californians were good cooks, and their hospitality was unbounded. The commanding officer was José Argüello, and he had a beautiful daughter.

All travellers of that time, even the dry and crusty Langsdorff, testify to the beauty, animation and charming character of Concepcion—"Concha"—Argüello. Although only sixteen, she had all the precocity of her race and sex, was better educated than most women of New Spain, and had half the caballeros of California sighing at her feet. Langsdorff, who hated his autocratic chief, grudgingly admits that Rezánov fell in love with the magnificent daughter of the Comandante, but hastens to insist that his first object in addressing her was the interest of the Company. It is possible that this was the case, for Rezánov was not the man to succumb lightly to a pair of fine black eyes; his ambitions were colossal, and, if they had not chimed with his passion, it is quite likely that he would have steeled himself. But never had passion and interest been more in unison. He could not overcome the scruples of the Governor and effect a trade which would violate the laws of the country; and, although Arillaga admitted that the treaty would be as advantageous for Spain as for Russia, he would not come to the point. Rezánov wrote to Zapinsky:

"Seeing that my position was not improving, expecting every day

that some misunderstanding would arise, and having but little confidence in my own people [the sailors], I resolved to change my politeness to a serious tone. I asked her for her hand and she consented. My proposal created consternation in her parents, who had been reared in fanaticism; the difference in religion and the prospective separation from their daughter made it a terrible blow to them. They ran to the missionaries, who did not know what to do. They rushed poor Concepcion to church, confessed her and urged her to refuse me; but her resolution finally overcame them all. The holy fathers appealed to the decision of the Throne and of Rome; and, if I could not accomplish my nuptials, I had at least the preliminary act performed, the marriage contract drawn up and forced them to betroth us."

He wrote later: "From this time on I managed this port of His Catholic Majesty as my interest required. The Governor was very much astonished to see Don José entrust me with the most private affairs of his household, and to find himself all at once, so to speak, my guest."

The Governor gave Rezánov the holdful of breadstuffs he wanted, but would not permit the cargo taken in exchange to be used until permission had arrived from the King of Spain. The preliminaries of the treaty were drawn up and despatched to Madrid by way of Mexico. Rezánov, after six weeks' dalliance in California waters, during which his enthusiasm for the country waxed, set sail for Sitka late in May. He was a month reaching his destination, and it was his intention to sail at once for Okhotsk and proceed overland to St. Petersburg that he might obtain letters from Alexander to the Pope and King of Spain; and, with the necessary consent to his marriage and the royal signatures to the treaty, return to California within two years. But at Sitka he met with an unforeseen delay.

Before leaving he had ordered a small ship to be built, and it was his intention to send Davidov and Khovstov from Okhotsk, the one in command of the "Juno," the other of the new ship "Avos," to wrest the island of Sakalin from Japan, carrying its inhabitants to Sitka, Rezánov having no intention that Japan should pay nothing for the pleasure of insulting the Tsar of all the Russias in the person of his Ambassador. But no work had been done on the "Avos." Rezánov knew that, did he carry out his purpose of leaving Sitka at once, the ship never would be built. Baránhov grudged the workmen, who might be better occupied catching seals; nor did he relish the prospect of trouble with Japan. Rezánov remained, and it was October before he

reached Okhotsk. He was in the best of spirits, however, for he saw his lieutenants depart on their hazardous mission, and at all the settlements he had touched during his long journey from Sitka he had found his enterprises in a prosperous condition.

But the delay had been fatal. Where does the fault lie that Western America is not Russian to-day, and Rezánov one of the great names of history? With Baránhov for not finishing the "Avos" in time and permitting Rezánov to make the long journey across Siberia before the rains began? Or with Rezánov himself for not deferring Japan's punishment to a more convenient season? When Rezánov arrived in Sitka from California it was with his damaged constitution repaired by the six weeks' sojourn in the Bay of San Francisco, and could he have departed at once and reached St. Petersburg without hindrance there is little doubt that he would have returned to California within two years, married Concha Argüello, gradually drawn the reins of government into his strong adroit hands, and while Spain, with all Europe, was trembling before Napoleon, insinuated a large body of immigrants into the country and finally made himself dictator of a vast Western civilization. It was forty years before the United States was strong enough to take possession of California, and it is possible that the towering ambition of Rezánov would have acknowledged no bounds short of the Rocky Mountains. But it was not to be, whether the fault of Baránhov or merely of destiny. Rezánov was ill again in the dampness and confinement of Sitka, in indifferent health when he left Okhotsk to begin the journey to St. Petersburg—four months in the best of seasons—which must be made almost entirely on horseback. It is too painful a story to dwell upon that long journey, which, after all, ended at Krasnoiarsk: rain and flood, hardships of every sort, illness in miserable towns. But he rose from sick-bed after sick-bed and pushed on until, with but half his journey accomplished, he succumbed at Krasnoiarsk in March. Langsdorff in the following year went out of his way to visit the grave of the autocrat who yet had shown him much kindness; and relates in his book that it was covered with a stone in the shape of an altar as yet uninscribed. Whether he still lies there I have been unable to discover. It is probable, for he died when all Europe was at war with Napoleon, and Krasnoiarsk is a long way from St. Petersburg. For years so little was known of the death of a man who

died just too soon to command the attention of the world that the report that he had been killed by a fall from his horse passed uncontradicted. Bret Harte, in his charming poem, "Concepcion Argüello," uses this legend, for the sake of picturesqueness, no doubt; for the truth must have been known in California within five years at least of Rezánov's death; certainly after the Russians established themselves at Fort Ross on the northern coast. Concha Argüello waited for him until convinced of his death and then took holy orders; becoming the first nun in California, Mother Superior of the Dominican convent, St. Catherine of Sienna.

Tikménev, in his "Historical Review of the Origin of the Russian-American Company," says of Rezánov:

"The Company lost in him the spirit most active in its organization, and in the development of the colonies under its control. Having acquainted himself on the spot with the requirements of the country, and having made the most earnest efforts to establish relations with adjoining countries, Rezánov could not brook delay on his journey home, where he expected to plead personally the Company's cause before the Imperial Throne. There can be no doubt that his influence, so far as it reached, has been wholly beneficial. We do not know what plans were seething in that active brain, ready to be laid before the Company's directors and the Government on his return to the capital. If Rezánov's life had not ended so prematurely, some of his plans would certainly have been brought to a successful issue at a much earlier period than we can now hope for, while others would not have suffered total neglect at the hands of the authorities. We cannot fail to see that he was no idle dreamer, though his efforts for the public welfare were not much appreciated during his lifetime, being frequently spoken of in a deprecating manner. A few looked upon him as a visionary, capable only of concocting schemes on paper, but, at the same time, hardships, disasters and opposition could not prevent him from following his course and pursuing the object of his life. The honesty and amiability of his character were universally acknowledged, and, though he failed to accomplish much that he proposed, he did more than any of his assailants."

Rezánov's greater schemes have since become more definitely known, and no one that has studied his life and character can doubt that, had he lived ten years longer, what is now the Western section of the United States, as well as British Columbia, would be Russian territory. Perhaps a war would have been the result, perhaps not. The Russians had forty years in which to plant themselves as firmly as the Mexicans, and the British in Canada.

GERTRUDE ATHERTON.

SEPARATION OF CHURCH AND STATE—A POLICY OR A PRINCIPLE?

BY THE REV. WILLIAM SCHOENFELD, PASTOR OF THE EVANGELICAL LUTHERAN IMMANUEL CHURCH, NEW YORK.

If there is one thing which the spirit of true Americanism proscribes, it is the injection of religious bigotry into matters political; because all bigotry, rightly so-called, is considered a mental and moral defect, and the introduction of religious bigotry into matters political is in direct contravention of that basic American principle that Church and State shall be kept wholly separate. Yet, the true American spirit decries with no less force all moral cowardice, disingenuousness and inconsistency. Freedom of thought and freedom of speech are not to be abused, neither are they to be empty words. There shall be no fear in speaking one's mind and conviction in any matter, least of all in matters political, just so the motive be good and the object be the attainment of truth and justice, and the advancement of the general welfare. With enmity towards none and with charity for all, American citizens are expected to stand up manfully for whatever they believe to be true and right, and to oppose everything which in their judgment is false and wrong. Moreover, since the American Government is a government by the people, as well as of and for the people, it is the duty of every citizen to help to maintain, in the full measure of his ability, right principles with respect to civil government, more especially to uphold those principles which, embodied in the Federal Constitution, all citizens are bound to abide by and defend.

Mindful of these undeniable facts and imbued with that selfsame spirit, a body of men—Lutheran pastors—found themselves constrained, if they would not make themselves guilty of moral cowardice and of a dereliction of patriotic duty, to enter a public

protest against the charge of bigotry made by President Roosevelt, in his open letter to Mr. J. C. Martin, against all those who should discriminate against a Presidential candidate because of his being a Roman Catholic. This protest, they averred, was made not because of any personal or religious antagonism, but because of their conviction that Roman Catholics, if faithful adherents of their Church, do not and cannot uphold the complete separation of Church and State as a principle, but merely tolerate it by necessity and as a matter of expediency or policy.

Because of this their declaration, they and all who have endorsed their declaration—amongst whom are conferences and members of all the large Protestant church-bodies, and men and societies making no religious profession—are again charged with religious bigotry and with injecting the same into matters political, and this by the foremost representative of the Roman Church and hierarchy in this country, Cardinal Gibbons.

The specific charge preferred against us is that of "religious intolerance," of "advocating the exclusion of loyal American citizens from office on the sole ground of their religious allegiance."

That there may be no suspicion of our twisting aught that we said, and that every one may form his own judgment on the Cardinal's charge and what else he has advanced in his article, "The Church and the Republic," we shall here reproduce *verbatim* our letter to President Roosevelt:

"Hon. Theodore Roosevelt, White House, Washington, D. C.

"SIR,—Convinced of your deep sincerity, and in full agreement with you as to the fundamental principle of the separation of Church and State, as enunciated in your letter to Mr. J. C. Martin, members and pastors of our church and other churches as well, have been amazed to see the indiscriminate and self-contradictory application you make of that principle itself, and this in the stricture made by you on those who might refuse to vote for a Roman Catholic for the highest office in the gift of our people.

"Of course, it is subversive of the basic principle of a real separation of Church and State to permit the religious belief or non-belief of any candidate for public office to determine the casting of one's vote for or against such candidate, except when that very religious belief or non-belief antagonizes this principle of complete separation of Church and State and all those rights and liberties which are included therein and safeguarded thereby. We agree with you, therefore, that those citizens are to be severely criticised who vote against a man merely because he is a Unitarian, a Jew, a Methodist or any other religionist.

"But are you not aware of the fact that the Roman Catholic Church has again and again, for centuries back and down to modern times, through its official head and other authorities, denounced as wholly wrong and as things to be tolerated only so long as they cannot be changed the complete separation of Church and State, full religious liberty, freedom of conscience, of speech and of the press, and that, moreover, it proclaims its teachings and principles to be unchangeable, and boasts of being '*semper idem*'?

"Lest we be accused of either misapprehension or misrepresentation, permit us to quote some of the pertinent official declarations of the authorities of the Roman Catholic Church.

"Pope Boniface VIII, in his famous bull '*Unam Sanctam*,' declared:

"'In this Church and in its power are two swords—to wit, a spiritual and a temporal, and this we are taught by the words of the Gospel. . . . Both, therefore, the spiritual and the material swords are in the power of the Church, the latter indeed to be used for the Church, the former by the Church, the one by the priest, the other by the hands of kings and soldiers, but by the will and sufferance of the priest. It is fitting, moreover, that one sword should be under the other, and the temporal authority subject to the spiritual power. . . . We, moreover, proclaim, declare and pronounce that it is altogether necessary for salvation for every human being to be subject to the Roman pontiff.'

"Pius IX, in his syllabus of 1864, condemns as an error the proposition that 'the Church must be separated from the State and the State from the Church.'

"Leo XIII in his encyclical, 'On the Christian Constitution of States,' November 1st, 1885, endorses this declaration of Pius IX, and in his encyclical, 'On Human Liberty,' June 20th, 1888, condemns what he terms 'the fatal theory of the right of separation between Church and State.'

"In the same encyclical Leo declares:

"'From what has been said, it follows that it is quite unlawful to demand, to defend or to grant unconditional freedom of thought, of speech, of writing or of worship, as if these were so many rights given by nature to man.'

"Pius IX, in his syllabus of December 8th, 1864, on 'The State' declares that it has not the right of establishing a national Church separate from the Pope nor the right to the entire direction of public schools.

"Have these declarations ever been revoked by the Roman Catholic Church? If so, we have gained no knowledge thereof. All that we have read by Roman Catholic writers was merely an attempt either to justify these declarations or to take the edge off of them in order to meet attacks from those who maintain that the Romanist, if he be a loyal adherent of his Church, its official teachings and principles, is in irreconcilable conflict with the principles set forth in the Constitution of the United States. Even Cardinal Gibbons, in his book, 'The Faith

of Our Fathers,' makes these significant statements, the best he has to offer in vindication of his Church against the charge that it is opposed to civil and religious liberty:

"'A man enjoys religious liberty when he possesses the free right of worshipping God according to the dictates of a right conscience and of practising the form of religion most in accordance with his duties to God' (49th edition, 1897, page 264).

"'The Church is, indeed, intolerant in this sense that she must never confound truth with error; nor can she ever admit that a man is conscientiously free to reject the truth when its claims are convincingly brought home to the mind. Many Protestants seem to be very much disturbed by some such argument as this: Catholics are very ready now to proclaim freedom of conscience because they are in the minority. When they once succeed in getting the upper hand in numbers and power they will destroy this freedom because their faith teaches them to tolerate no doctrine other than the Catholic. It is, therefore, a matter of absolute necessity for us that they should never be allowed to get this advantage.

"'Now, in all this there is a great mistake, which comes from not knowing the Catholic doctrine in its fulness. I shall not lay it down myself lest it seem to have been gotten up for the occasion. I shall quote the great theologian Becanus, who taught the doctrine of the schools of Catholic theology at the time when the struggle was hottest between Catholicity and Protestantism. He says that religious liberty may be tolerated by a ruler when it would do more harm to the State or to the community to repress it. The ruler may even enter into a contract in order to secure to his subjects this freedom in religious matters, and when once a compact is made it must be observed absolutely in every point, just as every other lawful and honest contract.' (Page 268.)

"What else are these obviously mildest declarations of Romanists but a confirmation of the charge that the Roman Catholic Church does not stand for full and perfect religious liberty, as understood by all Americans and defined in our Federal Constitution, that every man shall be free not only to worship God according to the dictates of a 'right conscience' and to practise a 'religion most in accordance with his duties to God,' but according to his conscience and his conception of his duties to God, right or wrong, so long as he is not thereby led to endanger the equal rights and liberties of his neighbor, or to interfere with the free exercise of the Government's power in the equal protection of all citizens?

"Is there any comment necessary on the Cardinal's quotation from Becanus to show that it in no wise commits the Roman Catholic Church to the principle of religious liberty, but most clearly decries that principle as an evil to be tolerated only by reason of necessity, 'when it would do more harm to the State or to the community to repress it'?

"Are we not, then, compelled to maintain that a loyal Roman Catholic who fully understands the allegiance required of him by the Pope can

never sincerely subscribe to the Federal Constitution, or, if he does subscribe to it, never can be expected to abide by it, enforce and defend it? Papacy and Vaticanism cannot be separated from the Roman Catholic religion. If any one should entertain an idea that this were possible let him read Cardinal Gibbons's aforequoted book.

"How, then, could we, as firm believers in the principle of complete separation of Church and State, and the liberties based thereon and safeguarded thereby, conscientiously and consistently help to elect to the Presidency a member of the Roman Catholic Church, so long as that Church does not officially, through its Pontiff or Church Council, revoke its diametrically opposed declarations?

"Are the 2,000,000 and more Lutherans of this country, not to speak of the millions of other Protestants, who take this position for the reasons stated, to be accused of bigotry or fanaticism because of such their stand, aye, be denounced as being disloyal American citizens? We protest that it is neither personal feeling nor religious antagonism which determines our attitude in this matter, but solely our disagreement with the Roman Catholic Church on this basic political principle, a disagreement growing out of the rejection and denunciation by the Roman Catholic Church of that very principle which you admonish all faithfully to uphold not only in theory, but in practice.

"We do not wish to be understood as though we mean to accuse the bulk of the Roman Catholics of being disloyal American citizens. We sincerely believe a great many do not fully realize the position the hierarchy of their church maintains with reference to the principle in question, especially in view of the outgivings of their teachers in this country, and that if it came to an issue compelling a decision either for the Constitution or the Papal hierarchy they would decide in favor of the former, upholding the Constitution of the United States. Yet, in determining our attitude in this matter, especially when it comes to electing a man to the highest public office, we must be guided by the official teachings of the recognized authorities of the Roman Catholic Church.

"We have considered it to be our duty not to keep silence in this matter because, in our judgment, that would have been an act of cowardice, nor do we wish to do any one an injustice, nor in any manner traduce any man or body of men. If, therefore, in aught we have said we are laboring under error, we shall be pleased to have you enlighten us and with us the millions who occupy the same position, and shall be sincerely grateful to you for such enlightenment. But if we are right in our contention and position, we ask you to show your unquestioned sincerity and courage by an acknowledgment of the correctness of our contention and the attitude based thereon. We are, very respectfully,

"WILLIAM SCHOENFELD,
"MARTIN WALKER,

for the New York Pastoral Conference of the Synodical Conference of the Lutheran Church."

Now, what are the fundamental contentions made in this letter?

1. That the First Amendment of the Constitution proclaims the complete separation of Church and State as a principle, and not as a mere policy.

2. That the Roman Catholic Church, speaking through its recognized authoritative head and teacher, has persistently denounced that principle, and declared separation of Church and State to be a condition that is to be tolerated only so long as necessity and expediency required.

3. That a loyal Roman Catholic can, therefore, never be an upholder and defender of separation of Church and State as a principle, but that he can merely acquiesce in it as a matter of policy; and that, for this reason, it would be inconsistent and self-contradictory if loyal American citizens, subscribing without reservation to the principle of separation of Church and State, were to help elect a man to that office which, above every other, is entrusted with the duty of upholding and defending what President Roosevelt styled "one of the foundations of American life."

Let us first ask whether in this there is any religious bigotry? No intelligent and serious person will contend that the Cardinal stated the case adequately when he charged us with "advocating the exclusion of loyal American citizens from office on the sole ground of their religious allegiance." If the religious allegiance of Roman Catholics did not preclude full loyalty to the American Constitution, did not place them in conflict with the constitutional principle of separation of Church and State, then and then only would the charge of the Cardinal be in harmony with the facts, a correct and adequate statement. What we charge is just this: that, if a Roman Catholic is fully informed as to the teaching of his Church, then loyal allegiance to his Church makes it impossible for him to be a loyal upholder and defender of this principle. But here the Cardinal quotes against us this proviso of the Constitution: "No religious test shall ever be required as a qualification to any office or public trust under the United States." Do we (or did we) require any religious test as a qualification for any office or public trust? Or does this article of the Constitution say that there shall be no debarment from public office, even though a man's religious allegiance places him in conflict with the very principles set forth in the Con-

stitution? Are we to understand this article to supersede the First Amendment, or must not rather this article be interpreted in the light of the requirement of the First Amendment? Does not this very article (VI, 3), indeed, prescribe that "the Senators and Representatives before mentioned, and the members of the several State legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution"? Emphasizing as Christians and granting as American citizens a man's right and duty to owe supreme obedience to God and to follow the dictates of his conscience, would it not, nevertheless, be suicidal if we were to ignore the fact of a political candidate's religious allegiance putting him in conflict with the Constitution?

If such is the case, then we maintain that it matters not whether it be a man's religion or something else that puts him at variance with the principles enunciated in the Constitution; as loyal American citizens, we shall have to withhold our suffrages from such a man, not because of his religious belief as such, but because of his antagonism to the principles of the Constitution.

The question at issue, therefore, resolves itself into this: Is it a principle of the Federal Constitution, "one of the foundations of American life," that Church and State shall be wholly separate? And is it true that no loyal Roman Catholic as such and so long as he remains such—or until the teaching of his Church with respect to this question is authoritatively changed—can subscribe to this principle?

There are those who declare all government and civil law to be a matter of compromise. To this, we feel safe in saying, the American people do not subscribe. It is, indeed, true that, in the making and enforcement of laws, civil government must always deal with conditions as they confront it, and that because of such conditions both the laws themselves and the enforcement of them will always fall short of the ideal; but it is equally true that there are fundamental governmental principles which must be acknowledged and maintained as such, even though in their practical application there may happen deviations and infractions. Such a fundamental governmental principle the American people insist to be the complete separation of Church and State. To argue that it was only by a compromise that principle came to be accepted and embodied in the Constitution by the framers

of that priceless document, is beside the question. No matter how this principle came to be accepted, it has ever since been held and defended to be the right principle of government. Just so, it is beside the question to tell us that in all Protestant countries the State has subjugated and enslaved the Church. We are Americans; many of us or our forefathers fled to this country to escape the tyranny of the State-Church, the State violating the freedom of conscience and of religion. Cæsaropapism, we emphatically declare, is in principle just as bad as Papocæsarism, and is to be condemned equally, whether the Lutheran or the Roman Catholic or any other Church be established as the State-Church. We are not dealing with the past and with other countries; we are dealing with the present and with our own country. Yet, since the Cardinal has referred specifically to Henry VIII of England, it may not be improper to ask, whether he who was honored with the title "Defender of the Faith" for his coarse book against Luther can, with any show of right, be declared a product of Protestantism, or whether he must not rather be considered a product of Romanism? Nor is it Luther who is to be blamed for the existence of a State-Church in Germany or in other Lutheran countries. Whoever will take the trouble of looking up Luther's writings on the subject of Church and State will find that he deplored the unfitness of the people who came out from Rome for ecclesiastical self-government, and that he called the temporal rulers "*Notbischöfe*"—"exigency-bishops." It is a law of physics that the pendulum which has swung to one extreme must on its return swing to the other extreme. Similarly, it is a law of psychology that when a reaction sets in—especially one that moves the deepest depths of the human soul, and is unhappily accompanied by ignorance, on the part of many who are factors in the movement, of the right and fundamental truths and principles involved in it—the true balance of soul cannot be gained at once nor the right line of division be at one recognized, or, when recognized, yet not held fast. Nevertheless, we deplore the fact that union of Church and State still continues in Germany and other Protestant countries, and we glory in this country of ours, because here the only right principle of complete separation of Church and State has been incorporated into the supreme law of the land. Nor are we in this controversy actuated by any other desire than that this

principle shall be acknowledged and maintained by all American citizens as a principle, the only true and right principle.

This is the difference between the Cardinal and his Church, on the one hand, and ourselves, on the other: he and his Church accept separation of Church and State merely as a temporary policy, a matter of expediency; we proclaim it to be the only true and right principle, a fundamental principle also of the American Constitution which must be accepted as immutable by all loyal and true American citizens. The Cardinal defines the doctrine of the Roman Catholic Church on this subject to be this: "In a country wholly or predominantly Catholic, the most desirable relation is the friendly union and co-operation of Church and State, neither power sacrificing its liberty and each acknowledging the other. That this is the ideal relation, provided liberty be assured to those not of the established church, no sensible man can deny." We do deny it, and we declare that the only right, and therefore the only desirable, relation is always complete separation of Church and State; and contend that only so can the inherent and equal rights, pre-eminently real and equal religious liberty, be secured to all citizens and Churches. And over against the Cardinal's request to show him a free nation that believes in one religion and has no union of religion with the State, we shall ask him to show us any nation which had union of religion with the State where the civil government did not fall under Papocæsarism or the Church under Cæsaropapism.

The Cardinal's words are satisfactorily, not to say surprisingly, plain. And eloquent is his silence. Never once does he enter upon the quotations adduced in our letter; never once does he deny their correctness nor the correctness of the contention that the authoritative teachers of the Roman Catholic Church, the Popes, have ever denounced as false the principle of complete separation of Church and State. He tells us, indeed, that the distinction between the civil and ecclesiastical powers is very firmly established in Catholic teaching; but never once does he say aught to the same effect with regard to separation. He quotes Leo XIII to prove what he says with regard to distinction between the civil and ecclesiastical powers, but he does not quote the words found in that same encyclical, "*Immortale Dei*," and in that same connection: "Hence it is necessary that between these two powers there should be an established connection which may very

properly be compared with the union whereby the soul and the body are united in one man." In the same encyclical, we read: "In like manner, it is not permitted to follow one form of duty in private and another in public, so that the authority of the Church were observed in private and rejected in public life." In his encyclical "*Libertas,*" Leo XIII says: "Liberty of worship —based on the principle that every man is free to profess as he may choose any religion or none—is no liberty, but its degradation, and the abject submission of the soul to sin." The final conclusion drawn from this dogmatic declaration is: "This religion [Roman Catholic], therefore, the rulers of the State must preserve and protect." Finally, a very pertinent passage from the same encyclical is this: "If, however, because of peculiar political circumstances, it is, for the time being, expedient that the Church should acquiesce in certain modern liberties, not because she herself approved of them, but because she deems it expedient that they may be permitted, she would, of course, if the times have changed for the better, make use of her freedom, and, by advice, exhortation and obsecration, strive, as it behooves her, to perform the duty assigned to her by God, to care for the eternal salvation of men. This, however, is at all times true, that the freedom of all things promiscuously granted to all is, as we have often said, not in itself desirable, because it is repugnant to reason that what is false and what is true should be of equal right."

We leave it to the reader and to the American public in general, the last and highest tribunal in our country, whether the Cardinal has proved his charge against us. We leave it to the same judge, whether we have substantiated our contention, or whether it really is religious bigotry, and on purely political and constitutional grounds unjustifiable, that we should refuse to vote for a Roman Catholic candidate for the Presidency or, for that matter, for any office upon which depends the maintenance and enforcement of the Constitution. Is separation of Church and State with us a principle or only a matter of policy and expediency, and can we, therefore, consistently profess to uphold the Constitution and yet vote for men who, if loyal to the teachings of their Church, as we must believe them to be, can accept the complete separation of Church and State only as a matter of policy? This is the question at issue.

If, according to the words of Vicar-General Preston, in a sermon preached in New York, on January 9th, 1888, "the man who says I will take my faith from Peter, but I will not take my politics from Peter, is not a true Catholic," the Roman Catholic is bound to declare against separation of Church and State as a true and immutable principle, our conscience is bound to maintain that principle and do all that is necessary to that end. If this is bigotry, bigots we are; but we are confident that the verdict of the American people is and must be: "That is only pure American loyalty."

The Cardinal warns us against "tampering with that delicate machinery by which religious liberty and equality are secured," and against the "fostering of any spirit which would tend to destroy that machinery." Is there any danger of our doing such a thing, when we declare that we mean to uphold absolutely and faithfully the complete separation of Church and State, laid down as a fundamental principle in the First Amendment? Then must that instrument be denounced as a fomenter of strife, a standing menace to religious liberty and equality.

To disabuse the minds of our Roman Catholic fellow citizens of the erroneous idea that we mean to discriminate against them only because of their religion, it may be well to remind them that when, years ago in Illinois and Wisconsin, laws were passed to crush out the parochial schools, to deprive parents of their natural, inherent right to send their children to the school of their choice, in which they might receive not only the necessary secular, but also the desired religious, education, the Lutherans fought those laws with all their power, contending that those laws were an infringement by the State of that religious liberty which is guaranteed by the supreme law of the land to every American citizen. In passing, to avoid any misunderstanding of our position on the subject of schools, it may be well to say that we concede to the State the right to insist that every school give its pupils such an education as will fit them for a proper and faithful exercise of American citizenship. But we cannot agree that the State should support, or be permitted to support, by public taxes or otherwise any religious school. Whilst it is a matter of religious liberty that parents should be free to create and maintain religious schools for their children, it would be a commingling of Church and State if the State were in any

way or measure to support such schools. Church and State are not only to be distinct, they are also to be kept separate. As we have fought against the State when, overstepping its proper sphere of authority, it attempted an infringement of religious liberty and the independence of the Church, and this despite the fact that we were assured that no endeavor would be made to put our schools out of existence but only the Roman Catholic, so have we consistently opposed all religious legislation, legislation whereby it was sought to make the State the tool of the Church for the enactment of laws in conflict with a right and complete separation of Church and State, and this when church-bodies or societies other than Roman Catholics were the power behind the movement.

If, in the face of these facts and averments, the charge is still persisted in that we and those who joined us in our protest are swayed in this matter by religious bigotry, shall not then every impartial judge be compelled to see therein merely an endeavor to evade the real issue?

Far be it from us to conjure up any religious or political war! But we were knaves did we permit ourselves to be deterred by having held up to us even the grim and gruesome spectre of war from freely and openly discussing a constitutional principle, such as this, and from obeying our conscience. There is, beyond a doubt, on this subject a clash of conscience between Roman Catholics and those American citizens who hold complete separation of Church and State to be a constitutional principle, unless, indeed, we are to believe that the clear and emphatic pronouncements of the Popes, and pre-eminently of Pius IX and Leo XIII, upon this subject are not the true and binding teaching of the Roman Catholic Church, binding upon every loyal son and daughter of that Church. That clash should be removed, so that we may have "union and liberty, now and forever, one and inseparable," and a liberty full and perfect not for one Church and body of citizens only, and for the others mere toleration, but equal and full liberty, religious and civil, for all Churches and for all citizens. "United we stand, divided we fall." Union and liberty will not be secured safely and for all ages, unless we come to full agreement with regard to the principles which form the very foundation of our government, upon which rest and by which are safeguarded those rights and

liberties—the most precious treasures of our American citizenship—which are guaranteed to us in and by the Magna Charta of the American people, the Federal Constitution.

And why wait till there is real or immediate danger of political and worse strife? Why not earnestly endeavor to remove the possible cause of any future conflict at once, now that the difference has been found to exist. Why, indeed, should we, despite the Cardinal's protest that the Roman Catholics "are conscious of no barrier separating them more than any other element of the population into a class apart," continue to hear the demand that they receive recognition in the distribution of political offices and preferments in proportion to their number? What other Church or non-political body makes such a demand? Remove this difference, a political difference, at least for the American citizen as such, be he Roman Catholic, Protestant, or Jew, or of any other religion or of no religion, so that in matters of citizenship we need not know each other as of this, that or any particular religion, then will we really and truly be one people, one civic brotherhood.

How shall that difference be removed? By the application of any kind of force? God forbid! But by a dispassionate, sincere and intelligent examination and discussion of the question at issue: Is complete separation of Church and State according to our Federal Constitution and of right to be accepted only as a policy, or must it be accepted as a principle?

WILLIAM SCHOENFELD.

THE DECLINE IN THE BIRTH RATE.

BY FREDERICK L. HOFFMAN.

It is time for the nation to realize the pressing need of a qualified and thorough investigation of the whole question of population and natural increase, with special reference to the physical condition and reproductive power of the native-born of native stock. While there has been some academic discussion of this problem, there has been no authoritative expression of opinion, and there exists no extensive collection of facts which would warrant a final conclusion as to present-day tendencies and ultimate results. The decennial Census reports, it is true, contain a very considerable amount of useful information; but the all-important question of the natural rate of increase among the different elements of native or foreign extraction has been practically ignored. While the opinion is almost universal that the native-born of native stock are not reproducing themselves at anything like the rate prevailing in the times of their forefathers or as now prevailing among the foreign-born, there remains a serious doubt as to whether such conclusions, resting upon fragmentary data, are properly applicable to the nation as a whole.

In brief, the American white population, according to the last Census, consists, in round figures, of forty-one million native-born of native parents, five million of mixed parentage and twenty-one million of foreign parentage. Since 1900, however, more than five million immigrants have arrived, mostly from Southern Europe. The problem which confronts the nation is the question of the rate of *natural* increase, or, in other words, the normal excess of births over deaths, in each of these elements, and the physical, moral and mental resultant of intermarriage of like or unlike ethnic elements. It is a question which demands an answer, and for which the responsibility rests with the nation;

and it lies within the power of the Federal Government alone to ascertain the facts.

It is only since 1890 that the Census reports have contained information as to the conjugal condition of the population. The Census Office has never published the exact data of the constituent parts of the American family, or, in other words, the number of children to a mother according to duration of marriage, and the proportion of married women without issue. Such information is obtainable for most of the other civilized countries; but, while the facts have been collected by the Census, at least since 1890, the data have not been published and the truth remains unknown.

It is not necessary to emphasize further the importance of the data required for an authoritative expression of opinion upon the problem stated. This much, however, may be said without an undue enlargement of the statistical side of the question, that by the last Census the number of married women of native white parents was 7,262,000 against 2,215,000 native-born of foreign parents, and 2,860,000 of foreign birth. In other words, against a little over seven million native white married women there are about five million either wholly or in part of foreign extraction. It requires no extended knowledge of the laws of human increase to make it clear that, if the rate of reproduction is materially higher among the foreign element than among the native, under the conditions pointed out, it is only a question of a comparatively short period of time when the actual *natural* increase of the foreign element will be considerably in excess of the actual number of births of native mothers of native stock. When, in addition, it can be shown that the proportion of married women of child-bearing ages is less among the native-born of native stock than among the foreign element the seriousness of the problem is further emphasized.

If, for illustration, we take the age period 25-29, we find that among the native white population of native stock 71.8 per cent. of the women are married, against 72.6 per cent. of the foreign; but the proportion of native married women at this age period has decreased since 1890, while for the foreign-born the proportion remained the same. At ages 30-34 the proportion of married women was 79.7 per cent. for the native, against 83.1 per cent. for the foreign. And here again, while the proportion

among the natives has decreased since 1890, the proportion for the foreign has remained the same. These differences may appear slight, but they are extremely significant, and more so when considered in connection with the decidedly higher birth rate among the elements of undesirable foreign extraction. For the present purpose, it is sufficient to use a birth rate based upon the number of women of ages 15-44, and, for my illustration, the data for Massachusetts for the five years ending with 1905. The data prove that there were 63 births per 1,000 women at this age period among the native, against 143 among the foreign. If these rates are contrasted with the five years following the close of the Civil War, it appears that the native birth rate at that time was 71 per 1,000, against 146 for the foreign-born. In other words, there has been a very decided decrease in the birth rate of native women in the State which prides itself most upon the question of pure ancestry, while there has been a comparatively stationary condition in this respect among the foreign element in the same State.

The available statistics for Rhode Island and New Hampshire indicate almost identical conditions and tendencies. The recently published returns of the State Census of Rhode Island for 1905 are, in fact, of a most startling character, challenging the attention of the nation. According to this official investigation, of the native-born women 15 to 45 years of age, 71.6 per cent. were married, compared with 82.5 per cent. for the foreign-born. Among the native-born women of this age period, 28.4 per cent. were childless, against 17.5 per cent for the foreign-born. The average number of children to a native-born married woman was 2.06, against 3.35 for the foreign-born. In 1885, according to the census for the same State, the average number of children to a native-born married woman was 3.49, against 2.06 for 1905; while during the same period, among the foreign-born women, the average number of children declined from 5.38 in 1885 to 3.35 in 1905. Among the native-born married women, ages 15 to 45, the proportion having only one child was 23.4 per cent. of the total, against 16.4 per cent. for the foreign-born. The proportion having over three children was only 19.8 per cent. for the native-born married women, against 38.7 per cent. for the foreign-born. At age 25 the proportion of childless native-born married women was 39.0 per cent., against

25.6 per cent. for the foreign-born. At age 30 the proportion of childless native married women was 29.1 per cent., against 15.9 per cent. for the foreign-born. It requires no additional statistical evidence to prove the seriousness of a problem which strikes at the root of American life and character.*

There are no corresponding statistical data for other American States useful for the present purpose, but as a general proposition it will hold true that the absolute and relative fecundity of the native-born element is less throughout the country than that of the foreign-born. There are differences, of course, in the degree of fecundity, and fortunately the native birth rate is still comparatively normal in the Southern and Western States; but there can be no doubt that throughout the country the foreign element is reproducing itself much more rapidly than the native, with probably four generations to a century, against less than three among the natives. If, however, for the sake of argument, we assume that the difference in the birth rate is the same, then *the actual deficiency in the annual number of births of native-born women of native stock will approximately amount to more than one and a quarter million.* In other words, the actual deficiency in the numerical increase of the native population is about the same as the present annual influx of foreigners, mostly from the Southern States of Europe. The late Francis A. Walker was one of the few who realized the significance of a declining birth rate in its bearing upon the problem of over-immigration, and he very ably pointed out that the gain by immigration had resulted in a replacement of native by foreign elements, and that if there had been no foreign immigration within the last half-century we would to-day have about the same population, or more, consisting wholly, or largely, of native-born of native stock.

There is a vast amount of misleading argument respecting race assimilation in this country. In fact, there has never been much assimilation, and it is not likely that there ever will be. Most of all will this prove true in the future in view of the vast immigration of totally unlike types during the last decade. The

* The startling results of the Rhode Island census are fully confirmed by an original investigation into the facts of American ancestry derived from published genealogies of American families, according to which the average number of children has diminished from nearly seven during the first half of the eighteenth century, to nearly five during the first half of the nineteenth century, and to less than three during the last half of the nineteenth century.

analysis of the Census upon this point is incomplete and, to a certain extent, misleading. Neither in this country nor in Europe is one well-defined racial type assimilating another. Neither are the Norwegians assimilated by the Swedes, nor the Portuguese by the Spaniards, nor the Dutch by the Germans, regardless of the fact that they have lived side by side for centuries. In Switzerland the French, German and Italian elements remain racially distinct, and the same is true of the Mexicans in Texas and of the French Canadians in Canada. The small amount of actual intermarriage has no appreciable effect in the development of new racial types in the United States. The acquisition of the English language, a fair degree of conformity to manners and usages, a reasonable compliance with law and custom, do not at all imply or constitute racial and political assimilation.

The earlier population estimates of a century in advance by Wigglesworth, Darby and others, for the year 1900, exceed the actual population as returned by the Census, regardless of the enormous immigration in the mean time. These estimates were based upon the assumption that the then prevailing rate of reproduction among the native element would continue. The difference is readily accounted for in the material diminution in the rate of increase among the native-born of native stock. That such a decline has taken place is not denied by any one familiar with the facts. That the reduction in the birth rate has been due to a decline in reproductive power is extremely doubtful. There remains, then, only one other explanation, and that is the truly momentous conclusion that the decline in the birth rate of native-born of native stock is deliberate, or the result of preventive checks, all more or less immoral or unnatural, as the case may be. It would be impossible to frame a more terrible indictment of what we generally speak of as the best element, but it is time the truth were told and realized before it is too late.

That the low birth rate among American women is deliberate and not the result of a decline in reproductive power every experienced physician will readily admit; and of the truth of the statement every intelligent person is well aware. While it is true that a decline in the birth rate is more or less general throughout the world, at least among the educated and prosperous elements of the population, the fact of a vice being general is no excuse for its being condoned. That the decline is the result of

a gradual spread of immoral doctrines, resting upon the theory of self-indulgence of the leisure class, can easily be confirmed by a study of the periodical literature of the last thirty years. Some years ago in this REVIEW Ida Husted Harper, a strenuous advocate of Woman's Rights, came out plainly and emphatically in a statement to the effect that "intelligent people have learned that it is easily possible to regulate the size of the family without injury to health or morals, and they *will* regulate it. The knowledge has proven the greatest of blessings to women." And this monstrous advice of a deliberate crime stands unchallenged and without protest as a sorry reflection upon American manners and morals at the beginning of the twentieth century. The article attracted the attention of a "Yale graduate of 1869," who, in a letter to the New York "Evening Post," indulged in the hope that some philanthropist would hand him a hundred thousand dollars to be used for the printing and distribution of these views to every pair of people whose marriage was announced in American newspapers. He concluded, therefore, that, "It is only the shiftless, the improvident and the dissolute who will point with pride to the President of the United States as a guide, philosopher and friend, who justifies them in adding to the vast number of people who ought never to have been born." Language like this from a Yale graduate must make one question the mental and moral value of university instruction. Who ought never to have been born? Simply because a child is the sixth, or seventh, or eighth, or ninth, should it never have been born? What evidence had the "Yale graduate of 1869" to prove that first-born children, or only children, represent the highest and most useful type? What evidence had he to prove that mothers of only children, or married women with no children, are morally and physically superior to those who conform to the laws of a moral society, the laws of nature and the laws of God? If this gospel of selfishness and immorality had been preached and generally followed by past generations many of our foremost leaders of thought and action would never have seen the light of day. Ought never to have been born! No doubt this might have been said at the outset, with at least some pretence to morals, in the case of the Russian woman who had already given birth to sixteen children and was anticipating the birth of the seventeenth. But who would have said this in later years, when Dmitri Ivanovitch

Mendeleeff, born February 7th, 1834, at Tobolsk, in Siberia—no doubt, under social and economic conditions more or less unfavorable—became one of the foremost minds in chemistry? His works have been translated in repeated editions in the English and German languages for the instruction of the world, and his "periodic law" will endure in chemistry as certainly as the law of gravitation in physical science.

The duty of maternity may impose heavy burdens and responsibilities, but it is one which no normally married woman can shirk, save at the risk of bodily and moral ruin. Audubon, the naturalist, was the twenty-first child, and Daniel Webster was the seventh, and so frail at birth that his life was despaired of. The mother of Benjamin Franklin was the ninth child, born under conditions of adversity on the island of Nantucket—fortunately the women of that period were of a different type and lived their lives in a natural manner, being compensated with more true happiness and self-realization than the childless women of to-day in the midst of plenty.

According to an extremely suggestive and original investigation by Dr. Louise G. Rabinovitch, of New York, into the "Genesis of Genius," as quoted in the "Medical Record," comparatively few men of genius have been the first-born of their parents; in fact:

"Not only were these men of genius not the first-born, in a very large number of cases they were the youngest or next to the youngest of the family. Thus Coleridge was the last of thirteen children, James Fenimore Cooper was the eleventh of twelve children, Washington Irving was the last of eleven, Balzac the last of three, George Eliot the last of four, Napoleon was the eighth, and probably the last; Daniel Webster the last of seven, Benjamin Franklin was the last of seventeen, and the last born of the last born for several generations; Rembrandt was the last of six children, Rubens the last of seven, Sir Edwin Landseer the fifth of seven children; Joshua Reynolds was the seventh child of his parents, Carl Maria Weber the ninth, Richard Wagner the last of seven, Mozart the last of seven, Schumann the last of five, Schubert the thirteenth of fourteen."

What a miserable philosophy of living and dying there is embodied in the shameless suggestion of immoral doctrines by those who by education and social status should be immeasurably the moral superiors of those who live in the slums.

There is no moral justification whatever for a deliberate limitation of the family, nor is there anything in the argument of the neo-malthusian drawn from economics. The very fact of a con-

stant and large immigration contradicts every argument in favor of a limitation of the family of the native-born of native stock. It is not, however, among the very poor, who might possibly be justified in limiting the family, that such doctrines hold sway. It is among the prosperous and the rich that we find the "no-child" or "one-child" theory defended, even by young wives of supposed innocence, with every prospect of material well-being and abundant resources for the more than necessary maintenance of a normal family. Only children, or only boys and girls, seldom represent a superior and successful type. There are, of course, exceptions to this rule, but the evidence upon this point is conclusively summed up by E. W. Bohannon, who holds that:

"These only children are unmistakably below the average in health and vitality. Mental and physical defects of a grave character are much more common among them than among children generally. Their success in school work is below the average. A large number of them do not have as good command of themselves socially as does the average child. Their social relations are, therefore, more frequently characterized by friction. Selfishness is the most frequently named of the worst traits, while affection is most often named among the best traits. As a rule, the home treatment had been that of unthinking indulgence, which generally develops in a child the habit of expecting concessions on all sides, and corresponding unwillingness on his own part to make them to others. A right appreciation of the conditions with which the child must be concerned outside the family life requires that he be given ample opportunity for companionship with children of corresponding ages."

To this I may add the observation of a French writer, Arsene Dumont, who has said that "the life of an only child is an uninterrupted lesson in egoism lasting twenty years. Honor and country ask for sacrifices, and the 'only' child is less courageous. The more numerous the family, the more respectful the children are to the parents. Men from large families have greater social worth." Nor is the effect of the childless marriage, or of the deliberate limitation of the family, without most serious consequences upon the parents themselves. The evidence furnished upon this point, which is largely medical, is so conclusive that it may be stated as an axiom that the consequences upon the parents will, in most cases, in the course of years be disastrous. Married women live longer than the unmarried, and married women with children live longer and healthier lives than those who are without issue.

I need not discuss at length the argument that the mission of

educated women is not one of domestic drudgery and child-bearing, but for other ends and purposes. As it has been very beautifully said by Augustine, "As the soul is made for God and is not happy until it finds rest in Him, so woman's body and soul are made for maternity and she can never find true repose for either without it," and as said by Stanley Hall, "All ripe, healthy and womanly women desire this, and if they attain it through self-knowledge confess it to themselves, however loath they may be to do so to others, and some who attain it too late wear their lives out in regret." If the fecundity of native women as a class is very considerably below that of the women of foreign birth, the condition is still more deplorable among educated women, and in particular among those who are graduates of higher institutions of learning. Among others, for illustration, of Vassar graduates during the ten years ending with 1896 only 28 per cent. were married by 1903, with an average number of children of 1.6 per mother, while a considerable number were without issue. The results of other colleges are practically the same, and in all cases the percentage of married women is less, the age at marriage is more advanced, the number of children is small and large families are the rare exception. According to Dewey, quoted by Stanley Hall, 37 per cent. of married college graduates had no children, although the average number of years of married life was over six. Hall concludes that "from the knowledge at hand, it is plain that our race would be speedily extinct if it depended upon the rate of replenishment of the educated classes."

A thoroughly scientific investigation into the decline of the birth rate was made in New South Wales a few years ago, and a most valuable report was presented. The evidence itself was of such a scandalous and shocking nature that the Commonwealth has not dared to print it. There is no reason to suppose that the conditions in this country are in any way much better, if they are not decidedly worse. In explaining the immediate causes of the decline of the birth rate, the Commission sums up its conclusion as follows:

"There is a remarkable unanimity of opinion among the medical men, who are perhaps better able to judge than any other persons in a community, that deliberate interference with the function of procreation has during recent years been extremely common. We learn also from their evidence that the means used to effect the end desired are both

deleterious to general health in numerous instances, and frequently bring about such temporary and even permanent disability of the reproductive organs of women as creates forms of pathological sterility. They also tell us of the great and growing frequency of the occurrences of induced miscarriages and of the terrible destruction of reproductive capacity and wreckage of health and life which ensue."

The Commission, therefore, emphatically gave its endorsement to the view that the decline in the birth rate was the result of deliberate prevention or destruction of embryonic life, and they held that, to the contrary, there was no evidence of an actual increase in the physiological sterility among the women of New South Wales. They further held that the decline in the birth rate could not, in their opinion, be traced to any well-defined economic cause, but that, to the contrary, the practice prevailed among all classes, *except the very poor.* As to the moral and physiological consequences of preventive checks upon the population, they quote a high medical and surgical authority to the effect that, "Can any one, accustomed to treating the diseases of women, say in truth the statement is exaggerated that we can see on any one day more sorrow and misery resulting from the abuse of the married state than would be found in a month from uncomplicated child-bearing?"

The Commission concluded that:

"The mental condition of any population, moreover, in which the avoidance of parentage is condoned, and even advocated, we regard as one which tells its own tale of social and moral deterioration. Such practices as are necessarily resorted to as alternatives for that restraint of natural impulse, which is alone justifiable for this end, we agree with the reverend witnesses whose evidence we have quoted, violate the sanctity of marriage and tend to convert the marriage contract into a sexual compact. We consider that they lower the standard of right living and right thinking in the community, create laxity of morals, debase character and ignore the sanctity of human life."

And further that:

"The decay of family life is another feature involved in the disappearance of that sense of responsibility by which alone the recruiting of posterity can be maintained. The benefits of large families to the members of those families and to the nation composed of them cannot be overestimated. It is recognized that members of large families educate one another; that 'only' children and members of small families are less well equipped for the struggle of life; that they do not grow up to be morally, intellectually or physically superior to members of large families, while their social efficiency is impaired by selfishness."

It hardly seems necessary to add anything to this summary of scientific opinion courageously expressed and abundantly sustained by indisputable facts. Even more recently, however, another scientific investigation into this subject has been made by David Herron, M.A., "On the Relation of Fertility in Man to Social Status, and on the Changes in this Relation which Have Taken Place During the Last Fifty Years." Mr. Herron concludes that:

"As far as the present investigation goes, it demonstrates, I think conclusively, that for the London districts there is a very close relationship between undesirable social status and a high birth rate. In districts where there is overcrowding, where there is a superabundance of the lowest type of labor, where it is needful to employ many young children in order to earn daily bread for the family, where infantile mortality is greatest, there the wives of productive ages have most children. *Where there is more culture and education as shown by a higher proportion of professional men, where there is more leisure and comfort as shown by a higher percentage of domestic servants, where the traders who appeal to the improvident and thriftless are fewer in number, there the birth rate is least.** Again, where there is more general pauperism, where signs of bad environment like phthisis are prevalent, where pauper lunatics are most plentiful, there the birth rate is highest. . . . Nor is the higher birth rate of the undesirable elements compensated by the higher death rate. The net fertility of the lower status remains higher than that of the superior status. . . . The relationship between inferior status and high birth rate has practically doubled during the last fifty years, and it is clear that in London at least *the reduction in the size of families has begun at the wrong end of the social scale and is increasing in the wrong way.* I have brought forward evidence enough to show that the birth rate of the abler and more capable stocks is decreasing relatively to the mentally and physically feebler stocks."

The subject with special reference to the United States has also been investigated by Dr. Arthur Newsholme, a leading authority on vital statistics, who, in an address before the Royal Statistical Society on the Decline of Human Fertility, remarks that: "It is evident, then, that taking into consideration the probable understatement of the facts (due to imperfect registration,) the condition of voluntary prevention of child-bearing in the native population of Rhode Island and Boston has gone far beyond that reached by Paris."

There can be no question of doubt that children born of cul-

* The italics are mine.

tured ancestry have a decided advantage over those born of the less developed types. If it takes six or eight generations to fix character in a thoroughbred horse or dog, it is nothing short of a social crime to extinguish human traits and characteristics which have been acquired by ages of struggle and endeavor. Nesbit makes the startling assertion that "men derive their characteristics from an ancestry spread out fanlike over some three hundred years and numbering perhaps two thousand inhabitants." If this is true the best traits and characteristics of the American people, transmitted as the result of more than two hundred and fifty years of an active struggle for the realization of high moral and political ideas, are in a fair way of becoming extinct in consequence of a declining birth rate. As Stanley Hall has well said, "Each generation ought to add a little, infinitesimal though it be, to progress in that most ancient form of wealth and worth which work bestows." And upon this ground a deliberate interference with normal fecundity deserves unqualified condemnation by all who have the best interest of the nation at heart.

It is not that this subject is new, or that it has not been brought to public attention from time to time. Again and again the voice of warning has been raised, and even more than forty years ago Dr. Nathan Allen, of Lowell, Massachusetts, compared the decline in the birth rate with the deterioration of the once powerful and highly cultured races of antiquity. Engelman, as the result of his analysis of New England genealogies, shows that while in 1800 the average number of children was 6.1, it had decreased to 4.6 by 1830, to 3.3 by 1860, to 2.5 by 1872, and for the upper classes of Boston to 1.8 by 1900. Allen quotes from the works of Professor J. R. Seeley, the author of "Ecce Homo," in explanation of the decline of Rome, that "some principle of decay must clearly have been at work," and he answers, "It was a period of sterility, or barrenness, among human beings; the human harvest was bad." And in the declining days of Greece marriages were rare and unfruitful through the prevailing indifference or aversion to marriage and an unwillingness to raise up children arising from an extravangtly high standard of comfort. Allen calls attention to another class of facts connected with the history of Greece and Rome, which has its parallel, in some respects, in our own history. "Both these nations were more or less filled up with the transfer of immigration of peoples

from other countries" and "this foreign or barbarian element was much more prolific than were the native inhabitants of these two nations, nor was there a mixing up, or intermarriage, to much extent between the two classes. As a natural consequence, the purely native stock declined relatively in numbers, fading gradually away; and not only were they finally outnumbered, but they were overpowered both in war and in every department of government, as well as of society."

The foregoing extracts, to which much more of a similar nature could be added, warrant the suggestion made at the outset that it is time for the nation to realize the pressing need of a qualified and thorough investigation of this momentous question affecting our national progress and future position. In England an extended and able investigation has been made into this subject by a Special Committee on National Deterioration, and an investigation along similar lines is required for the United States. As Mr. Herron has pointed out, the facts disclosed by his researches indicate distinct sources of national deterioration, "which the statesman and social reformer must be prepared to consider and consider well." This is not a subject upon which any one should write or reason lightly, for it is one which goes into the very heart of the whole question of national well-being and national welfare. As the Royal Commission of New South Wales very properly say in their admirable presentation of the facts, "Patriotism dictates that the people of to-day should consider what these facts mean to the future. It is the duty of the present generation of Australians to see to it that their patriotism is not impugned in time to come; and that the loss of this fair heritage of the British race, which, under existing conditions the philosophy of history foretells, is not made attributable to them by those who may, in the days to come, have to sacrifice their blood and treasure in the vain hope of defending it." What is true of Australia is even more true of these United States, but the duty is even greater in view of the larger interest at stake.

FREDERICK L. HOFFMAN.

CANADA AND THE PAYNE BILL.

BY EDWARD PORRITT.

In general, the Payne Bill is less hostile to Canada than almost any tariff enacted at Washington since the reciprocity treaty was abrogated by the United States in 1866. Contrary to expectation in Canada, it concedes the right of the Dominion to make tariff concessions to Great Britain or to any British colony without subjecting Canada to the heavy penalties of the maximum rates. It also offers reciprocity in coal, which is an obvious advantage for the wide stretch of the Dominion that lies between the Province of Quebec and the Pacific Ocean. It repeals the duty on iron ore, of which the Provinces of Ontario and New Brunswick have enormous quantities for export; and, if Canada comes on the minimum rates, there will be a more open market in the United States for agricultural products from Canada than there has been since 1897 under the tariff that is now being revised.

There was a time when the Liberal party which is now in power at Ottawa would have welcomed some of the conditions that are offered in the Payne Bill. From 1866 to 1896, Liberals in all provinces of Canada were in favor of a return to conditions like those which were maintained between the two countries when the Elgin-Marcy treaty of 1854 was in operation. But much has happened at Ottawa since 1896—since the days when Cartwright and Laurier never made a political speech without denouncing the enormities of the Tory National Policy, without declaring that it was the policy of the Liberals to return to a tariff for revenue and also to establish more neighborly trade relations with the United States. Laurier and Cartwright ceased to make speeches in this tone, in or out of Parliament, as soon as the Liberals, as a result of the general election of 1896, for the first time since 1878, had a majority in the House of Commons.

Except for a preference for Great Britain, the Liberal Government in 1897 adopted the National Policy of the Tories in its entirety. Since 1897, Liberal Governments have greatly developed and extended the National Policy. In so doing, they have curtailed the preference which was granted to Great Britain in 1897; and they have also raised a much greater barrier against reciprocity with the United States than existed when they took over the National Policy from the Tories in 1897. As a result of the control of Government at Ottawa by the Liberal party, Canada is to-day on a more protectionist basis than at any time since Confederation in 1867; and to-day there are in the House of Commons not half a dozen members who would support a bill for lowering protective duties, or for repealing the bounties to the iron and steel and other industries—an integral part of the Liberal National Policy—which are now costing the Dominion nearly three million dollars a year.

For Canadian Governments—Dominion and Provincial—the Payne Bill as it left the House of Representatives raises three distinct problems. Two of these problems—that arising out of the maximum and minimum sections, and that arising out of the offer of reciprocity in coal—concern the Government at Ottawa. The third, which arises out of the Fordney amendment to the lumber schedule of the Dingley Act—concerns the Provincial Governments which control their own Crown lands. This amendment is aimed at the Provincial Government; for it was by the administration of its Crown lands that Ontario, between 1897 and 1900, countered the Michigan lumbermen who were responsible for the affront to the Dominion in the clause of the lumber schedule which was intended to prevent Canada from imposing an export duty on saw logs in retaliation for the extortionately high duties on manufactured lumber from the Dominion.

From 1897 to 1906, there were two rates in the Dominion tariff—the preferential rates for Great Britain and the general rate for non-British countries. From 1900 to 1904 the Canadian Manufacturers' Association was agitating for higher protective duties. Their demand was for a tariff with maximum and minimum rates—the maximum rates to be as high as those of the Dingley tariff. As the general election of 1904 drew near, the Laurier Government yielded to this agitation and undertook to revise the tariff of 1897, with the promise that in the new tariff

there should be maximum and minimum rates—the maximum rates to be applicable to countries which in their tariffs dealt unfairly with Canada. The Canadian Manufacturers' Association understood this promise to mean a large increase in duties on imports from the United States; and, when the Tariff Commission of 1905-6 was on its tour, manufacturers came before it to urge duties on the Dingley level as a protection from American competition. These pleas for higher duties aroused the farmers of Ontario, who are well organized in granges and farmers' associations. Within two weeks after the Tariff Commission had begun its public sessions at Montreal, in November, 1905, the opposition of the farmers to Dingley duties had become so strong that the Tariff Commission ceased to discuss maximum and minimum rates; and, as a compromise, there was evolved the existing tariff, with its three tiers—the general tariff, the intermediate tariff and the British preference.

In November, 1906, when Mr. Fielding introduced the new tariff in the House of Commons, he announced that it was the intention of the Government to use the intermediate tariff as a basis of negotiation with countries that were prepared to make tariff concessions to Canada. Six months later—in May, 1907—Mr. Fielding was in Paris negotiating a commercial treaty with France on this basis. The efforts of the Ministers of Finance were successful. Parliament at Ottawa at once approved of the treaty—the approval being necessary because the concessions in the treaty went beyond those authorized in the intermediate tariff. It was April, 1909, however, before the French Senate adopted the treaty; and so far France is the only country enjoying the advantages of the intermediate rates of the Canadian tariff.

The situation at Ottawa has thus altered since the Payne Bill was reported to the House of Representatives. The change took place while the Bill was in the House; and the result is that, should the maximum and minimum section be accepted by the Senate in its present form, Canada, sixty days after the Payne Bill becomes law, will either have to concede the intermediate tariff to the United States, or Canadian imports will become chargeable with the maximum rates of the United States tariff which are much in excess of those of the Dingley Act.

Duties in the Canadian intermediate tariff are from five to ten per cent. below the duties in the general list, to this extent

diminishing the protection of the tariff. At the revision of 1906 there were few Canadian manufacturers who were not granted some addition to their protection in response to their petitions. Increases ranged from two to five per cent., but they were sufficient to show the sympathy of the Laurier Government; and whether small or large, they were enough to repay the manufacturers for the expense and trouble to which they had gone in the agitation for higher duties against British and American exports. None the less, the revision of 1906 was in two respects a disappointment to the protectionist interests. Manufacturers had counted on Dingley rates against the United States; and they were alarmed at the idea of the intermediate tariff being used as a basis of negotiation. They had no great dread of France; but they were nervous lest the intermediate tariff should be granted to Germany as an ending to the tariff war which had been going on since 1898.

Especially were the Canadian manufacturers apprehensive lest the Government should use the intermediate tariff in negotiation with the United States. They early elicited from the Government a statement that there was no intention of making any overtures to Washington; and it is most unlikely that the application of the intermediate tariff to the United States would have been broached had there been no maximum and minimum rates in the Payne Bill.

Canadian protectionists are exceedingly well organized. There can hardly be two hundred manufacturers in the Dominion who are not of the Canadian Manufacturers' Association. Hitherto the Laurier Government has been more afraid of the Manufacturers' Association, with its twenty-four hundred members, than of all the consumers in the Dominion; and the probability is that, if the maximum and minimum section is enacted as it now stands, Canadian imports in the United States will be paying maximum duties for a long time after the Payne Act has become law.

Germany began the tariff war that has been going on since 1898. It levied its maximum rates on Canadian imports in that year because Canada declined to make the same tariff concessions to it as were made to Great Britain by the preferential tariff of 1897. Canada did not retaliate until 1903. In October of that year, there went into operation a surtax of one-third on imports from Germany. There is no mention of Germany in the Canadian Act. It simply provides that "articles which are the growth,

produce or manufacture of any foreign country which treats imports from Canada less favorably than those from other countries may be subject to a surtax" of one-third of the duties in the general tariff. The surtax was imposed by order-in-council—that is, by the administrative action of the Government; and it would seem that, if the United States put the maximum duties of the Payne Bill in force against imports from Canada, it would be open to the Government at Ottawa, without further powers from Parliament, to pass an order-in-council imposing the surtax on imports from the United States, and a tariff war with widespread disastrous results to exporters and consumers in both countries would ensue.

Should there come a conflict between the two countries over the maximum duties, there would be no immediate action at Ottawa in connection with the offer from Washington of reciprocity in coal. Every province except Nova Scotia would be benefited by free trade in coal, for the existing duty in the Dominion tariff in the interest of the coal operators of Nova Scotia is now costing the Dominion three and a half million dollars a year. Since 1879 there has been a duty on bituminous coal, not as a revenue duty, but with the avowed object of holding the Canadian market for the Nova Scotia mines. Liberal as well as Tory Governments have maintained the coal duty to this end; but, after thirty years of persistence, it has been found impracticable to force Nova Scotia coal into use in Ontario. That province still draws its increasing supplies from the United States; and all that the coal duty has effected has been to secure for the Nova Scotia operators the larger part of the bituminous coal business of Montreal and the Province of Quebec. These operators are not sanguine that, under reciprocity, they could market as much coal in New England as they now do in the French Province; and, until they are satisfied on this point, there will be no reciprocity in coal, for Nova Scotia can always obtain any tariff or bounty concession from the Dominion Government on which the members from the province are agreed. It is a small province; but directly or indirectly—by tariff duties or by bounties—it has had sufficient influence at Ottawa to lay the other provinces under tribute to the amount of five or six million dollars a year.

The obnoxious clause in the Dingley tariff that was countered by the Government of the Province of Ontario was inserted at the

instance of owners of sawmills in Michigan, who were dependent or partly dependent for saw logs on Ontario. Its purpose was to make it impracticable for the Government at Ottawa to retaliate for the duty of two dollars a thousand feet on manufactured lumber by imposing an export duty on saw logs. This Michigan clause was one of the "little jokers" of the Dingley Act; but unlike some others in the series of 1897, it failed of its purpose, and proved a boomerang for the men who had succeeded in tucking it away in the tariff law. It provided that, "if any country or dependency shall impose an export duty upon saw logs, round unmanufactured timber, stave bolts, shingle bolts or heading bolts exported to the United States, or a discriminating charge upon boom sticks or chains used by American citizens in towing logs, the amount of such export duty, tax or other charge shall be added as an additional duty" to the duties imposed upon the articles in this schedule of the Dingley tariff.

Mr. Fordney, of Michigan, who is a member of the Committee of Ways and Means, has admitted the authorship of the amended clause which is now of the Payne Bill. It reads: "If any country, dependency or province, or other subdivision of government shall impose an export duty, or other export charge of any kind whatsoever upon, or any discrimination against, any forest product exported to the United States, or if any country, dependency or province or other subdivision of government forbids or restricts the exportation of any forest product to the United States in any way there shall be imposed upon all of the forest products of such country, when imported into the United States, the duties prescribed in Section 3 of this Act* during the continuance of such export duties, charges, embargo, discrimination or restriction."

The explanation of this amending clause in the Payne Bill is to be found in the policies of the Governments of Canada when they were confronted with the Michigan clause in the tariff of 1897. The Michigan lumbermen conceived that they had made an export duty impracticable. To that extent they had provided against retaliation. But they had overlooked the fact that the older provinces of the Dominion have entire control over their Crown lands. Saw logs from Ontario for the Michigan mills are mostly cut on Crown lands, under conditions determined by the

* The duties now levied under the Dingley Act.

Government at Toronto—conditions which can be varied from year to year when the timber limits are disposed of by public tender. Before the passage of the Dingley Act these conditions were comparatively few; and there was nothing in the contracts which prevented Michigan lumbermen from buying the limits, cutting logs and towing them to the sawmills on the American shores of the Lake.

The Government at Ottawa could not impose an export duty without dislocating the Canadian lumber industry. But it was possible for the Government of the Province of Ontario to vary the conditions under which timber limits on Crown lands were sold, without throwing on the lumber industry of the Dominion the burden of the penalty of the Michigan clause in the Dingley Act. The Ottawa Government took no action; but the Toronto Government so changed the conditions of sale of timber limits as to compel all purchasers of limits to saw their logs within the Dominion of Canada. Michigan lumbermen drawing supplies of logs from Ontario resented the new condition, and brought suit against the Ontario Government. The action was carried from court to court, but in each court judgment was against the Michigan lumbermen; and since 1898, as the result of the new Crown-lands policy then adopted by the Ontario Government, numerous sawmills owned by Americans have been established in the lumber regions of the province in order that American holders of timber limits might comply with the only terms on which logs can now be cut on Crown lands in Ontario. Lumber so cut when imported into the United States has, of course, paid the high duties of the Dingley Act.

The amended clause in the Payne Bill is intended to eliminate these conditions in the timber contracts for Crown lands in Ontario. But the policy adopted by the Ontario Government in 1898 has had obvious advantages for the province. It is one of the most successful "made-in-Canada" movements ever embarked in by a Provincial Government. It has had the support of the people of Ontario; and, as the remodelled clause in the Payne Bill constitutes an unwarrantable interference with the policy deemed expedient by the Provincial Government in respect to its Crown lands, the enactment of this clause can only mean that the Dingley duties on lumber from Canada will be continued.

EDWARD PORRITT.

THE ENGLISH IN INDIA.

BY CHARLES JOHNSTON.

In much that has been written recently in a sense hostile to the work of England in India, there are certain tacit assumptions. The first is, that the English went to India as ruthless conquerors, destroying a national culture which had many of the elements of the golden age. But the truth is, that the English went to India not at all as soldiers or conquerors, but simply as a "company of merchants of London trading to the East Indies." England was then in the full flow of a splendidly creative epoch. Englishmen had been heartened by the defeat of the great Spanish Armada twelve years before. Sir Francis Drake's voyages up the coast of California and across the Pacific and Indian oceans had kindled the imagination of his country; Sir Walter Raleigh had explored the marvellous forests of Guiana; English merchants were beginning to find their way overland to India. The outflow of national genius was equally shown in the tragedies of Marlowe, the poems of Edmund Spenser, the sonnets and early plays of Shakespeare.

The East India Company, the London Company trading to Virginia, the Plymouth Company, were all a part of the same outflowing tide. The forces that led Captain John Smith to found Jamestown, on the fringe of the Virginia forest, in 1607, at the same time carried Captain Hawkins to Surat in Western India, with a letter from James I to the Emperor of Delhi. So close is the relation between the two movements that we find the same adventurous spirits appearing now in the factories of the East India Company, now in the settlements on the American coast. And we have just been reminded that Elihu Yale served as Governor of the Council at Fort George in Madras before he came to Connecticut as Governor and founder of a great university.

For the century and a half from 1600 to 1750, the English took no part in Indian politics, and occupied no territory but the ground on which their warehouses were built. This century and a half saw a splendid contest between the most virile nations of the West throughout the seven seas. Italy, Portugal, Spain, France, England, and at a later date Germany and Scandinavia, all entered the lists. But so far as India was concerned, their rivalry was commercial only. At many of the Indian trading towns Dutch, Portuguese, French and English merchants had their warehouses side by side.

About 1750 the change came, and it came once more as a part of a world-movement. The impetus was given, oddly enough, by the death of the Emperor Charles VI, and the contest for the succession to the imperial crown. George I and George II, as Electors of Hanover, were drawn into the contest. Louis XV of France took the opposite side. War broke out between France and England, became quiescent, and again broke out in 1754.

This war had results which changed the face of the world. France and England fought their battles in two hemispheres. The struggle raged from the Ohio River to the Ganges. Colonel Washington and Colonel Clive were fellow officers in the same contest; the capture of Madras by Labourdonnais and the disaster of Braddock's Field were parts of the same cycle of events. In both hemispheres the English won. The struggle along the Mississippi and the St. Lawrence gave the English race the supremacy in North America. The contest on the Bay of Bengal and the Ganges laid the foundation of the British Empire in India.

Was the founding of the British Empire in India the death-knell of a great national culture, a culture of the golden age? One must be singularly ignorant of Indian history to imagine anything of the kind. It is hard to point to any period during the last three thousand years when India was in any sense a nation. It is easy to point to periods of centuries at a time when India was an arena of warring nations, representing hostile races, opposed ideals, mutually unintelligible tongues. India was no more a unit than Europe; and if long centuries ago an Asoka or a Samudragupta had united many kingdoms under a single despotic rule, the death of the despot had always been the signal for decline and dissolution. But even this degree of national life

had perished utterly, long before 1750. More than a thousand years of conquests and foreign invasions by the Arabs, Turks, Tartars, Persians and Mongols had carried fire and sword from the Himalayas to the extreme south of the peninsula. And while it is true that the Rajputs, with their splendid feudal aristocracies, had fought heroically against the Mussulman hosts from the northwest, yet it is unfortunately true that we find among them little that can be called national or patriotic feeling for India as a whole. The Mongol or Mogul emperors again and again enlisted the Rajput princes under their banners, and the greater part of India was won for the Moguls chiefly through the military prowess of their Rajput allies. More than this, the Rajputs were at the same time waging wars of their own, not only against other Hindu princes, but even among their own clans. And all these Indian wars were accompanied by plundering, slaughter and devastation to a degree that we can hardly realize to-day. Opening a History of India at random, I came on the following passage from the central period of Mussulman invasion:

"The king's exactions, which were always excessive, were now rendered intolerable by the urgency of his necessities: the husbandmen abandoned their fields, fled to the woods, and in many places maintained themselves by rapine; many towns were likewise deserted, and Mohammed, driven to fury by the disorders which he had himself occasioned, revenged himself by a measure which surpassed all his other enormities. He ordered out his army as if for a grand hunt, surrounded an extensive tract of country, as is usual on the great scale of the Indian chase, and then gave orders that the circle should close towards the centre, and that all within it (mostly inoffensive peasants) should be slaughtered like wild beasts. This sort of hunt was more than once repeated; and on a subsequent occasion there was a general massacre of the inhabitants of the great city of Canouj. These horrors led in due time to famine, and the miseries of the country exceeded all power of description."

Three-quarters of a century later, one reads:

"Plunder and violence brought on resistance: this led to a general massacre; some streets were rendered impassable by heaps of dead; and the gates being forced, the whole Mogul army gained admittance, and a scene of horror ensued easier to be imagined than described."

This is a scene from Timur's frightfully destructive invasion. The slaughter of the inhabitants of Delhi lasted for five days. A century and a quarter later, we learn that "Baber's conduct to the places where he met with resistance was as in-

human as that of Tamerlane" (Timur). The history of the empire founded by Baber has one bright epoch in the splendid and tolerant reign of Akbar. On the other hand, throughout the whole of this Mongol dynasty, we find horrible conspiracies of sons against fathers, and frightful contests, whether of force or fraud, between brother and brother.

Let us pass over two red centuries, and come to the period on the eve of 1750 and the war between France and England. Here is a scene from 1739:

"The slaughter raged from sunrise till the day was far advanced, and was attended with all the horrors that could be inspired by rapine, lust and thirst for vengeance. The city [Delhi] was set on fire in several places, and was soon involved in one scene of destruction, blood and terror. . . . Every species of cruelty was employed to extort these contributions. Great numbers of the inhabitants died of the usage they received, and many destroyed themselves to avoid disgrace and torture. Sleep and rest forsook the city. In every chamber and house was heard the cry of affliction. It was before a general massacre, but now the murder of individuals."

To say nothing of wars among the Indians themselves, there were no less than four Afghan invasions of India in the twenty years after this last sack of Delhi. The Mogul Empire was falling to pieces in a ruck of blood, treachery and massacre.

But, it may be said, there were elements of power springing up from the older Hindu races. They might have brought regeneration. It is quite true that new forces were making themselves manifest. Let us see what promise they held for the better government of India. Of these new powers, two stand forth conspicuous: the Mahrattas in the south, and the Sikhs in the north. Here is a picture of Sivaji, the heroic founder of the Mahratta confederacy:

"The Mahratta consented to receive his assurances of forgiveness at a personal interview, if the Khan would concede so much to his fears as to come unattended for the purpose of meeting him. Afzal Khan on this quitted his army, and went forward with an escort, which he was afterwards persuaded to leave behind, and advance with a single attendant. He was dressed in a thin muslin robe, and carried a straight sword, more for state than any expectation of being required to use it. During this time Sivaji was seen slowly descending from the fort: he advanced with a timid and hesitating air, accompanied by one attendant, and to all appearance entirely unarmed; but under his cotton tunic he wore a shirt of chain-armor, and, besides a concealed dagger, he was

armed with sharp hooks of steel, which are fastened on the fingers, but lie concealed in the closed hand, and are known by the descriptive name of 'tiger's claws.' The Khan looked with contempt on the diminutive figure, which came crouching on to perform the usual ceremonies of meeting; but at the moment of the embrace, Sivaji struck his claws into his unsuspecting adversary, and before he could recover from his astonishment despatched him with his dagger."

Sivaji had begun his career by robbing his father. He continued it in plundering, devastation and treachery, and founded a power which lasted for nearly two centuries, and at one time dominated all India, from the Punjab in the extreme north, to the south of the peninsula. During the whole of this period, the history of the Mahratta power is one long record of craft and rapine; and there is absolutely nothing to show that any of the warriors and statesmen who directed the policy of the Mahrattas ever viewed the purposes of government as anything else than the organization of robbery.

Let us turn for a moment to the Sikhs, the other native Indian power which was rising from the ruins of the Mussulman Empire. There is much that is attractive about the Sikhs, in their sincerity, their courage, their devotion to their ideals. But whether there was anything in their spirit to insure wise government, the following sentences will sufficiently show:

"The severities of the Moguls only exalted the fanaticism of the Sikhs, and inspired a gloomy spirit of vengeance, which soon broke out into fury. Under a new chief named Banda, they broke from their retreat, and overran the east of the Punjab, committing unheard-of cruelties wherever they directed their steps. The mosques, of course, were destroyed, and the mullahs butchered; but the rage of the Sikhs was not restrained by any considerations of religion, or by any mercy for age or sex; whole towns were massacred with wanton barbarity, and even the bodies of the dead were dug up and thrown out to the birds and beasts of prey."

These scenes took place some twenty years before the birth of Washington.

We have thus taken stock of all the native elements in India, about the year 1750, just before the English conquerors "ruthlessly broke into" that Utopia of the golden age. Let us see, as briefly as possible, how the "conquest" came about. The first shock, as already pointed out, came from the war with France, the same war which made the English race masters of North

America. But it was some time before there was any acquisition of territory. And it is noteworthy that, so far were the English from any design of conquest, that they seem again and again to have stumbled into a forward policy unwillingly, and on the initiative of their opponents.

Thus it was in their struggle against the French. France, or rather her proconsuls in India, had begun to "play politics" about 1740. A French fleet attacked and captured Madras, forcing Clive to take to flight. The French governor of Pondicherry—which is a French settlement to this day—entered into intrigues with the princes of southern India who were rising amid the ruins of the old Mongol Empire. By inducing some of these to take action against the English, he forced the English into Indian politics in self-defence; and, as a result, England presently came into possession of a coast strip in Northern Madras, taking it, not from any native power, but from the French, who acknowledged their world-wide defeat in 1763. It was in like manner from the Portuguese, and not from any native power, that the English got Bombay.

In Bengal the English had built up a fortified post at Calcutta. They were under the authority of the Nawabs, the Mussulman governors of the decrepit Delhi Empire. The Nawabs of Bengal had their capital at Murshidabad. In 1756 the Nawab, Suraj ud Dowla, was a mere youth, wild and licentious like so many of the young Mussulman officers. He had a quarrel with a member of his household, who fled to Calcutta and took refuge with the English. When the English refused to deliver him up, Suraj ud Dowla marched on Calcutta, captured it, destroyed the factories and warehouses, and drove 146 English men and women into a noisome dungeon. By next morning 123 were dead. This atrocity of the "Black Hole of Calcutta" brought on war, thus leading to the conquest of Bengal. The decisive battle was fought in June of the following year, 1757, at Plassey, not far south of Murshidabad. The young Nawab of Bengal had 50,000 foot, 18,000 horse, and 50 guns drawn by elephants and served by French gunners. Clive, on the English side, had about 1,100 English soldiers, 2,100 sepoys (native troops) and 10 guns. In the battle his victory was swift and complete. If this was a war of conquest, then we may say that never had a war a better excuse; never was a decisive battle won against such odds.

Though they had defeated the Nawab, the English did not take possession of his territory. They limited themselves to the exaction of an indemnity; and, with their approval, a new Nawab, Jaffir Ali, came into power at Murshidabad. His successor remains there to this day as premier noble of Bengal.

The Delhi Emperor was so much struck with the prowess of Clive, who was then only thirty-two, that he granted him the revenues of a district round Calcutta, and a title as an officer in the Mogul service. Thus Clive became a landlord under the Delhi Empire, and the East India Company became his tenants.

The next step was taken in 1765. The figurehead Emperor at Delhi granted a charter, assigning "the dewani of Bengal, Behar and Orissa to the East India Company." This charter did not transfer any territory or sovereign rights. Its real effect was to transfer to the East India Company, and to Clive as its representative, the duty of collecting the taxes of these three provinces, which had at the time a population of some 30,000,000. By inevitable degrees, as the Delhi Empire fell to pieces, its powers gradually passed into the hands of the Company, who, however, continued to recognize the Emperor until 1857. It was as representing the Mogul Emperor that the East India Company exercised authority through the Lower and Upper Provinces of Bengal.

Meanwhile, the Mahrattas continued their course of depredation and devastation. They harried southern India. They attacked the great Rajput clans of the western plains, and were slowly crushing them, and with them all that was noblest and best in India. As the result of three wars, the Mahrattas were finally defeated in 1818. In the year following, the Marquis of Hastings, then Governor-General, wrote concerning the Mahrattas:

"It is a proud phrase to use, but it is a true one, that we have bestowed blessings upon millions. Nothing can be more delightful than the reports I receive of the sensibility manifested by the inhabitants to this change in their circumstances. The smallest detachment of our troops cannot pass through that district without meeting everywhere eager and exulting congratulations, the tone of which proves them to come from glowing hearts. Multitudes of people have, even in this short interval, come from the hills and fastnesses in which they had sought refuge for years, and have reoccupied their ancient deserted villages. The ploughshare is in every quarter turning up a soil which has for many seasons never been stirred, except by the hoofs of predatory cavalry."

The more we know of Mahratta history, the more heartily we shall appreciate Lord Hastings's words.

Finally, we come to the Sikhs. Ranjit Sing, their greatest leader, was born in 1780, twenty-three years after Plassey. In 1800, he began to build up a kingdom under the wing of the Afghans. He died in 1839 without ever having come into collision with the English power. He left no strong successor; and, six years later, the Sikh army, numbering 60,000 men, took the offensive and invaded British territory. They were completely defeated, but the victors refused to annex their territory, the Punjab. They preferred to set up a Sikh protectorate, recognizing Dhulip Sing as Raja. Three years later this policy of clemency proved itself a failure. The Sikhs again took the offensive. As a result, the Sikhs were defeated, and the Punjab annexed in 1849. This practically completes the story of the conquest of India by the "company of merchants of London trading to the East Indies."

It is a great story, and has the added element of greatness that at no time were the English the aggressors. They fought on the defensive, first against the French, then against the Mussulmans of Bengal, then against the Mahrattas, then against the Sikhs. If they ultimately came into possession of an empire in India, it was not of forethought, but by natural selection, which first eliminated their European rivals: Portuguese, Dutch, Germans, Scandinavians, French; and then showed that, of all the forces left in India, the English were best fitted to build up a just and conservative rule. Thus the assumption that the British, as ruthless conquerors, destroyed a native paradise is a complete illusion.

We come to the next assumption, that the English have warred against the native spirit and native institutions. Nothing could well be further from the truth. In reality, the genius of England has been, throughout, the genius of conservation: conservation often carried to chivalrous extremes.

Whatever in India was capable of being preserved the English preserved. As we saw, the great Rajput clans, the best and noblest blood in India, were being slowly crushed out of existence by the Mahratta plunderers just a hundred years ago. The English stepped in to shield them, with the result that there are to-day in India eighteen reigning Rajput princes, the total area of whose dominions is larger than France or Germany. To these

may be added seven Kshattriya principalities, making a total area of nearly three hundred thousand square miles, an area equal to Great Britain and France combined, under the rule of the old military races of national India. It is not too much to say that, in all probability, not one of these five-and-twenty principalities would be in existence to-day but for England's genius of conservation. Through the operation of that genius, it comes that the splendid houses of Udayapura, "the dwelling of the sunrise," Jayapura, "the dwelling of victory," Yodhapura, "the dwelling of warriors," and their kin, whose ancestry goes back to the dawn of time, are still among the reigning kings of the earth.

But England's principle of conservation was not limited to the old national kingdoms. It extended equally to whatever was capable of being preserved among the Mussulman powers. Foremost among these comes southern Hyderabad, so recently brought to the notice of the world by a destructive flood. Hyderabad, equal in area to Great Britain, represents the territory which one of the great Mussulman deputies carved for himself from the crumbling ruins of the Mongol Empire. And in spite of many shocks and difficulties, the descendant of that turbulent Turk rules and reigns in Hyderabad to-day. More than once a somewhat vigorous helping hand has been necessary, as in the case of nearly all the native states; but it is, nevertheless, true that Hyderabad still preserves the forms and something of the spirit of the Mogul Empire, with the elements of savagery and rapine left out.

There are six or seven more Mussulman principalities, each conserving its own spirit, life and customs. One is ruled by a Sunni, one by a Shiah, two by Pathans, one by an Afghan, and so forth. All represent old adventurous elements of the period of invasion. In the same way there are three Mahratta states, representing the spoils of the great plundering confederacy. Gaekwar of Baroda, Sindhia of Gwalior, Holkar of Indore, are the descendants of three adventurous warriors, soldiers of fortune of the palmy Mahratta days so graphically pictured by the Marquis of Hastings. There would have been a fourth Mahratta state, in Nagpur, had not the Bhonsla Raja, descendant of another soldier of fortune, died without issue.

In like manner, the English have conserved the Tibetan Bud-

dhist state of Sikkim, and two Jat states on the fringe of the Rajputs. There are four Sikh states, the *débris* of the Punjab; and it cannot be doubted that the whole Punjab would remain a self-governing Sikh kingdom but for the two wars of aggression already chronicled. But it is equally certain that the populations formerly governed by the Sikhs have greatly benefited by the change. Their loyalty to the English, and their enthusiastic support in the great Mutiny of 1857, sufficiently show their gratitude and sense of obligation.

A word in digression. Some unfriendly but badly informed critics make comparisons to the disfavor of England by asserting that the "native states" are much better governed; and, oddly enough, they pitch on two of these states, Baroda and Mysore, to prove their point. In this there is an element of quite unconscious humor. For among all the native states none has been more assiduously nursed than these two. Mysore, rescued by the English from a Mussulman usurper at the end of the eighteenth century, passed through a series of vicissitudes, was put in thorough working order, and finally handed over to a scion of its ancient house as recently as 1881, with the condition that its sound and practical organization must be kept intact. It is not unnatural that Mysore is to-day a model state. Much the same is true of Baroda.

So we have this long series of native states, with a total area of nearly seven hundred thousand square miles, and a population of over sixty millions: Rajput feudal aristocracies, old Brahmanical kingdoms, bits of the Mongol Empire, *débris* of the Afghan invasions, Sikh principalities: a vast museum of past centuries, to testify to the English spirit of conservation, which has shown itself as beneficent in India as in Egypt.

In another way this same spirit has been not less effective. In India there are half a dozen great religions, and scores of smaller faiths. None of these except Buddhism had a genuine spirit of tolerance. Brahmanism was the most exclusive and domineering of them all. We saw what horrible cruelties could be inflicted by Mussulmans on Hindus, by Sikhs on Mussulmans, and, to the shame of Western nations, it must be said, the cruelties of the Portuguese Inquisition in southern India were at least equal to the worst of them.

What has been the attitude of England towards all these war-

ring cults? It has been toleration, the broadest and truest toleration the world has ever seen. Not only are all these heated sectarians taught to dwell together in mutual amity and respect, but further there is a defined and fully conscious conservation of whatever is best in the genius of each faith. Each one of the old religions represents not only an attempt to explain the riddle of the world, but also a system of domestic and social life, entering into minute details of sentiment, of habit, of social and personal feeling. The English in India, recognizing this, have followed the lines of natural and age-long growth, and have given to the devotees of each of these different faiths a government in harmony with their particular genius. The laws of Manu with their developments are administered as the civil law of the Hindus. All personal, domestic and testamentary disputes of the Mussulmans are settled in accordance with the Koran and its law-books. The same is true for the Jaina, the Buddhist, the Parsee. And with this has gone a conservation and cultivation of the ancient sacred idioms of all these old religions. Sanskrit, Zend, Arabic, Persian, all owe much to the fostering care of the India Office. And with the modern tongues the same course has been followed. Very much has been done to turn into modern literary languages the popular idioms of the Bengalis, the Sikhs, the Mahrattas, the Tamils, the Telugus and a score of other less familiar tongues. Thus every one of a score of nations, races and faiths in India has a government in its own tongue, in harmony with the spirit of its own history and religion.

Perhaps the best single work in the modern tongues has been the translation into all of them of the Indian Penal Code, and its distribution broadcast in cheap editions. No one not familiar with the hazards of humble lives under Oriental despotisms can realize what a boon is conferred on India by a simple, uniform and impartial system of law, the statement of whose obligations and sanctions is within the reach of every one. For, while preserving to each cult and tribe its own civil and religious law, England has given her Indian possessions a single criminal law, simple, impartial, intelligible. It is a symbol of that complete uniformity of civil rights which England had conferred on each one of the countless millions of India, man, woman or child, prince, Brahman or outcast. So much for the spirit of conservation.

Yet again, it is assumed that India is heavily taxed by the English, more heavily taxed than at any time in her past history. This is the assumption. But what is the reality? Under the ancient native despots, like Asoka and Samudragupta, the peasant was compelled to pay one-fourth of the gross produce of his land to the king's revenue. One-fourth, that is, must go into the treasury. How much stuck to the fingers of the tax-gatherers is another question. The Mongols raised this to a third, with the same condition. Let me record the candid expression of one of their officials fifty years before Plassey:

"Contributions were now levied in lieu of regular revenue, and the parties sent to collect supplies committed great excesses. The collectors of the jizya [poll-tax on Hindus] extorted millions from the farmers, and sent only a small part to the treasury. Whenever the Emperor appointed a jagirdar [tax farmer] the Mahrattas appointed another to the same district, so that every place had two masters. The farmers left off cultivating more ground than would barely subsist them, and in their turn became plunderers for want of employment."

A very careful calculation has shown that, in a certain area, the taxes levied by the Mogul Government about the year 1700 were three times the amount collected by the English two centuries later. India has, in fact, the lowest taxes of any decently governed country in the world. Again, England is reproached with keeping a huge army in India. The English army in India numbers, with officers, less than 75,000—to safeguard a population of three hundred millions. Surely this is eloquent enough. Let us compare this with "the good old times." Chandragupta, we are told, had an army of close on 700,000. The Raja of Vijayanagar, about 1500, had an army of 740,000. Aurangzeb, about 1700, assembled a host estimated at well over a million.

Nevertheless, in spite of the excellence and economy of her government, India is one of the poorest countries in the world. What is the reason? Here we come to the heart of the matter. India, and especially British India, is poor, because she has an enormous population trying to live by agriculture alone. In parts of the Ganges Valley this population amounts to a thousand or more to the square mile.

This tremendous population is not only trying to live by farming alone, and poor farming at that, but is increasing more rapidly than any Western nation. We hear a good deal about race suicide in this country, but what of the alternative in India?

In the Punjab the birth rate per thousand was 41 in 1904 and 44 in 1905. In Agra and Oudh it was 47 in 1904. In the Central Provinces the birth rate was 53 per thousand in 1904 and 54 in 1905. These three provinces have a united population of 80,000,000. The total number of births for this region is, therefore, nearly four millions a year.

An immense rural population, with an abnormal birth rate: this is the true cause of India's chronic poverty. And it is perfectly evident that, against such causes, the best government in the world, a government of sages, would be powerless. We spoke of a certain measured district in northern India which paid three times as much revenue two centuries ago as it does to-day under the far lighter English taxes. But it must not be forgotten that three times as many persons are now trying to make a living out of this same area of land. The taxation per head is thus about one-ninth; yet the population is poorer than ever.

The two effective causes of India's poverty: abnormal birth rate and absence of industrial life, are both the result of ceremonial views inculcated through centuries by the Brahmans. They have preached that sons are essential to salvation,—and have realized large revenues from the ceremonies for the dead. They have insisted that the ablest class in India must not take part in industrial life, and have glutted the legal profession and official life with men who should be merchants and organizers of industry. Romesh Chunder Dutt makes the astonishing confession that twelve million dollars' worth of gold is annually imported into starving India by the wealthier natives. And he tells us that this great sum is destined, not to encourage industrial life, but to supply the wear and tear of gold brocade. Is it not perfectly evident that no change of government, no representative institutions, no economies, can have any permanent effect on the well-being of India, while these great and growing causes of destitution remain? The remedy is, at this moment, wholly within the power of the natives of India. On the one hand, a cessation of the marriage of little girls and a higher ideal of chastity; on the other, a temporary abstinence from gold brocade, and the fostering of industrial life in India to relieve the pressure on the soil. The English have accomplished marvels in India; but these reforms must be carried out by the Indians themselves.

CHARLES JOHNSTON.

THE CONDITIONS AND THE FUTURE OF THE PHILIPPINES.

BY ERVING WINSLOW.

THE Treaty of Paris signed on December 10th, 1898, was ratified in the Senate of the United States on February 6th, 1899, and in the Spanish Cortes on April 11th, 1899. The United States, therefore, has exercised quite ten years' sovereignty over the Philippine Islands. What has been done there has been pointed to with pride by Mr. Taft, by his former subordinates, and by the greater number of their friendly visitors, as a magnificent achievement of American ideals, its record as the proudest page in American history.

But suddenly a discordant voice breaks through the chorus of praise. The present head of the Philippine Government, inspired by an unheard-of frankness, looks out of the official windows, takes the bearings of the situation and defines them in words which are veritably "a bolt from the blue." Governor-General James F. Smith, in an address at the Quill Club at Manila on January 25th, after reciting the various beneficent designs and valuable works of the Government, deplores, in spite of all, "the growing gulf between the two peoples. An era of ill feeling has started between Americans and Filipinos and, I hesitate to say it, race hatred!" He enlarged upon the theme in his message to the Philippine Assembly on February 1st. There is something yet lacking, then, in spite of engineering undertakings, the coast surveys, the good currency, a fine civil service, measures of sanitation and educational advantages; and this is an extremely essential lack, as was recognized by Mr. Taft when he said in an address delivered just before he left Manila, on December 17th, 1903, at the Union Reading College: "Were I assured that the present attitude of the majority of American merchants and the

American press would be permanent, and if I did not confidently hope that there must be a great change in the future, I should be very much discouraged in respect to the result of the experiment which the United States is making in these Islands." If Mr. Taft was right, we should now, in our discouragement, proceed to withdraw from the "experiment," since the essential change in attitude has taken place in the wrong direction! That the facts of the case fully bear out the statements of Governor-General Smith is well known to all who have correspondence with the Philippine Islands, who read the American and native newspapers printed there, and who have met Filipinos visiting the United States or such visitors to the Philippine Islands as have not confined themselves to the society and the environment of functionaries. Let us see why we should be very much "discouraged."

It should be noted that the racial antagonism has developed largely since the arrival of American women in the Philippine Islands. Army men frequently visited in Filipino families in the early days, but this practice is now tabooed. Some Americans have married Filipino girls, but the door of social intercourse with their fellow countrymen has at once been closed to them. Except by the *mestizo,* who courts the association of the white man, this attitude is resented with proud indifference. A recent editorial in a Philippine newspaper thus summarizes the situation:

"The least effort to promote the interests of the country was at first received with gratitude, for such an act of generosity and justice was most deeply felt. With childlike simplicity the people listened to hopeful assurances which fell like a benevolent rain upon their hearts. They applauded them and offered their help to give them practical form. . . . But now the racial division, which was nothing but a dividing-line in the beginning, has grown into a mountain range, separating the nation from the Government, the Americans from the Filipinos. . . . Now, too, the 'colonial' idea and permanent administration for inferior and incapable races, scarcely mentioned at first, have come to be matters of serious consideration. . . . With the breaking of the bonds of confidence, prejudice has grown more bitter. The persons in authority who should be influenced least by this prejudice, and who should of all others preserve their impartiality, have not resisted the trend of affairs. This is the chief cause of the present unrest. The people can no longer look upwards for encouragement in the way of peace and harmony.

"In spite of all the experts, authorities and administrators in the

Philippines, we are standing to-day by the grave of those hopes which were based upon fraternal feeling, and the outcome of events is dark and uncertain."

Concerning a matter which has been the subject of very warm glorification, that of education, let us consider how the work in the Philippines is vitiated by the efforts of a foreign authority, out of touch with the national initiative and the needs and sympathies of the people. The demand that the teaching of English should be the preliminary to all other education has caused the schools to be very largely regarded as a political institution, while the waste and loss of energy and the delay in accomplishment because of it have been very great. There has been much difficulty in maintaining the small number of American teachers which has been fixed as a minimum. The discouraging nature of the employment induces very frequent resignations; and, the enthusiasm of the original movement having passed away, the quality of the new supply has very much deteriorated. As for the Filipino teachers, they are quite commonly obliged to devote the leisure of each day to committing to memory the words of the language which are to be the tools of instruction the next day, with a pedagogic result which can be readily imagined. In view of the circumstances and of the prejudice against the government system, which of course is purely secular, two other classes of schools have been created—the independent and the Roman Catholic. The former class attracts the children of the thinkers and leaders, and the church schools are frequented almost altogether by the children of the wealthy. It has been estimated by a recent visitor that not more than twenty-five per cent. of the Filipino youth are attendants on the public schools. Up to this time no higher education has been included in the public-school system, so that the other schools have necessarily been chosen as a preparation for the advanced courses of a complete education, while the whole influence of the powerful Roman Catholic hierarchy is opposed to the secular schools, which can hardly claim in an overwhelmingly Catholic country the same justification as exists for them in our mixed society. The result is that the "*tao*" youth is getting a little smattering of English, which he forgets directly in the use of the familiar tongue with his family and companions, and hardly a smattering of anything else. The question of the diversity of language among "sixty tribes" is

continually brought forward to justify the necessity of instruction in English as a common language, and as an argument against the possibility of a homogeneous national development. The truth is that eleven-twelfths of the inhabitants of the Philippines are Christianized and civilized. Among these, there are only six or seven dialects spoken, and two, the Tagalo and the Vizayan, by the enormous majority. These dialects are very easily harmonized, differing as little as the Portuguese and Spanish. The Tagalo language has several grammars and a considerable bibliography. An important national association has been formed to maintain the study of the native tongues and to preserve their integrity. The untimely death of Dr. Doherty, who was deeply interested in the subject, interrupted the execution of a plan for an extensive and thorough native grammar, for which he had collected a great deal of valuable material. The population of the United States had a much larger number of different languages spoken within its limits at the moment of our independence than the wildest estimate made in the Philippines, but no one for an instant claims that the united colonies should have been prevented from organizing their government and enjoying their independence because outlying Indians talked different languages. The native newspaper and organ of national independence, "*El Renacimiento,*" which has been published eight years in Manila, is printed half in Spanish and half in Tagalo, an evidence that this one dialect affords a satisfactory means of reaching the native population.

For whose benefit, almost exclusively, are the much-vaunted engineering works, the docks, roads and bridges, even the water-supply and measures of sanitation, paid for by the Philippine taxes? The benefit accrues in an enormous proportion to the sovereign "foreigner." The two-million-dollar Benguit road to Baguio furnishes an opportunity for health and amusement for the American official who needs recuperation from his labors in a tropical climate. It is proposed to spend another million or so in the construction of a railway to this point. Much has been said in praise of the successful government of Manila. A native journal thus criticises the administration of the city:

"If there are some well-kept streets and parks, there are also entire wards which up to date have had no watering or lighting, and to which there is apparently absolute indifference; if there is a modern-

ized part of the city, the most thickly populated quarters have received no attention whatever, being in the same condition in which their Excellencies, the City Fathers, left them, with their half-submerged, dirty and stinking streets. . . . The municipality has purchased an unnecessary tract of land at a price which is so excessive that it appears incredible; it has favored the public dancing-places, the centres of corruption for good morals; it has not taken any steps to isolate the brothels which now exist in a central part of the city, in spite of all protests of the abutters and adjoining property-owners; it is blind and deaf to the transgressions and violations of the liquor laws in their application to the Sunday traffic, so that, much to the grief of all decent persons, in the central streets and most frequented places one can frequently read signs like the following: 'Keg Beer on Sundays.'"

While the American portion of the city of Manila was swept and garnished, the strand upon which the Filipino promenade debouched and which was the favorite native resort was made the city dump! There has been hardly an attempt at restoration of the country roads with their simple bridges, which served the agricultural districts well under the Spanish rule and which were so largely destroyed during the war.

The poverty of the Philippine Islands is not to be cured by the showy kind of improvements chiefly serving the convenience of an administration which is in itself such a heavy burden upon the country. Besides the destruction of property during the war, there have been immense losses through droughts, rinderpests, typhoons and locusts. Wages in those parts of the Islands affected by the American occupation have, of course, locally increased. Mr. Forbes in his recent paper, "A Decade of American Rule in the Philippines," in the "Atlantic Monthly" has consoled himself with an agreeable automatic theory, of which the only defect is (as American labor at home will be able to appreciate) that the facts do not do their duty by meaning what Mr. Forbes says they "ought to mean." Mr. Forbes says:

"Thus, if we cause the rate of wages to rise to one dollar or two dollars a day, as is the case in the United States, it *ought to mean* [italics not Mr. Forbes's] that the productiveness of the Islands has increased a corresponding amount, which will be many times as great as the present. Then, also, if the American administration in the Philippines can succeed by increasing the physical welfare of the people, which would result very largely in increasing the population, this would mean increasing proportionately the number of laborers, and by increasing at the same time the rate of proficiency of the

individual laborer, I believe that the result will show that the Philippines have before them a future literally golden!"

In the last ten years more than sixty million dollars, almost double the circulating medium of the country, equivalent approximately to seven dollars and a half for each inhabitant of the Islands, has been sent to the East Indies for the purchase of rice. This expenditure,—including the cost and charges before reaching the consumer,—has been something more than one hundred millions of dollars, an average of ten million dollars a year for foreign rice—by a country the climate and soil of which are admirably adapted to the profitable production of an article which is the principal element of native diet. From what quarter came first the only practical suggestion for the relief of the mass of the Filipino people? Foreseeing that every dollar which was to be expended for the importation of the necessaries of life might, if devoted to a home product, add to the prosperity and welfare of the people, it was Aguinaldo who, directly after the pacification, urged the establishment of an agricultural bank with a large capital! The function of this institution was to lend money upon small agricultural holdings secured by the value of the land and in a conservative measure by the future crop. The proposition was greeted at the time with scornful contempt, yet the scheme for an agricultural bank was brought forward in Congress and embodied in a bill two years ago; and, though reports of its operation have not yet come to hand, it seems to be the only hope for any real relief from the situation. The Filipinos see that with the proposed removal of the seventy-five per cent. of the Dingley sugar tariff, which is now remitted to the Philippine treasury and lightens the burdens of taxation, a few sugar-planters will gain what the Filipinos at large will lose. Concerning the removal of this duty to the limit of three hundred thousand tons, as urged by those who claim to be friends of the Filipinos, Mr. Harold M. Pitt, an authoritative expert, testifies that it could have no favorable influence whatever. The greater part of the Philippine sugar crop polarizes below eighty degrees and is practically unmarketable in the United States. To attract American capital to the Philippine Islands it would be necessary to give opportunity for the production of the ninety-degree raw sugar for which there is a market here; and, with the million-dollar sugar-mills which are essential to any successful production,

the three-hundred-thousand-tons limit would be an absolute bar to such an investment.*

In view of former Commissioner and Secretary Wright's new motto, "Equal chances for all," in place of "The Philippines for the Filipinos" of the earlier days, a native writer makes this appeal concerning the results of exploitation:

"In our country, subjugated by a conqueror without moral or ethnological affinity with us, what value can that phrase of 'equal chances for all' possibly have? Even supposing that Americans and Filipinos had the same training and skill, and supposing that they had the same resources so as to enter the strife under equal conditions, is it to be believed that the natives would find the same protection that American enterprise, coming here to do business on a large scale, could reckon upon? Let facts speak for themselves. A government of commercial expansion, a government greedy of gold and riches, a government that at home fails to hinder absorption and to kill monopoly, a government fanatic in protectionalism, that builds tariff walls in order to protect special interests and trust-controlled products, is even less likely to concern itself with our interests than with those of its own people.

"This principle, entirely aside from the fact that it is in direct contradiction to the spirit of American political economy, is an absurdity in its application here. How are we, the Filipinos, going to start competition when we have no large capital such as the trusts possess, when we are unskilled in the control of the forces that have evolved the large combinations which decide the final outcome of competition? You Americans are abreast of all these things. You know and possess the means for this purpose. You have at your disposal all your many departments of investigation. If you want to know the value of woodland, with mathematical exactness for a safe investment and exploitation, you have at your disposal experts who will make a technical report and give all information necessary in the case; if you want to

* The Philippine clause in the "Payne Tariff Bill" as passed by the House of Representatives, providing for reciprocal free trade with the Philippines, limits the amount of sugar to be imported free of duty to 300,000 tons, of wrapper tobacco to 300,000 pounds, of filler tobacco to 3,000,000 pounds, and of cigars to 150,000,000 in any one fiscal year. This clause embodies one of the characteristic attempts of Mr. Taft in Philippine affairs to ride two horses, which is sure sooner or later to bring him to a fall. He has tried to persuade the sugar beet and tobacco interests that the measure would be innocuous in its operation, but they see clearly enough that it is only an entering wedge for the entire removal of the duty, and for the development of sugar and tobacco production by American capital. He has assured the Filipinos that the plan is one for their relief, but the Philippine Assembly has vehemently protested against it, detecting the inevitable tendency therein, while depriving the Philippines of present revenue, to reduce their inhabitants to economic slavery and expose them to a competition, already foreshadowed, from Japanese or Chinese labor.

know the wealth of a mine, its availability, its exact situation, the steps that must be taken to secure the concession therefor, you have at your disposal the same experts who will report on the inwardness of the matter, all that is hidden from the eye of the layman and inaccessible to us; if you wish to know the resources of a tract of land that some company or other wishes to exploit, desiring to find out the chances it offers and the best place for the railroad to cross it, you have at your disposal bureaus of technical information with all their resources and plans to give whatever knowledge is desired.

"You say we are afraid of competition. No, competition does not exist nor can it ever exist under a foreign government. What we are afraid of is absorption, monopolies, special privileges given 'for good,' the death of our nationality, economic slavery,—the most barbarous of all slaveries. When you with your energy, your skill and labor efficiency, your wealth and your national power, close your doors to the Oriental who comes to your country, not in search of equal chances but of any chance at all for making a living, lest your own welfare should be jeopardized ever so little, why should we Filipinos not be afraid when we are challenged to what you choose to call a battle of 'equal chances'?"

The salary list of the Philippine Commission and the five departments of administration, with contingent expenses, exceeds ten million dollars—paid, of course, in a large proportion to American officials. The Bureau of Insular Affairs has recently recommended the establishment of a system of pensions for all officers of the Philippine Government who are citizens of the United States and who have been in continuous, actual and satisfactory service in the Islands for ten or more years, receiving during this period an annual salary of not less than six thousand *pesos*. The expenditures under this pension system will be a heavy additional burden on the Filipinos.

The elective legislative branch of the Philippine Government has no power over appropriations, as the Upper House of the Legislature is composed of the Philippine Commission, which has absolute control over any action of the Lower House. In its last session the Assembly attempted to scale down salaries by a ten-per-cent. reduction, including their own and those of the members of the Commission, but the Upper House promptly refused to agree to the bill.

It has been found impossible to fix a stigma upon sentenced prisoners in the Philippine Islands. Such a large proportion of sentences have been imposed for political offences that no one thinks of discriminating against a convict in the Bilibid prison,

as such, without inquiry first as to the nature of his offence. The enormous number of prisoners sentenced to the institution has made it absolutely necessary to establish a penal colony, and as many of these colonists are persons of excellent conduct and character, who have merely suffered through political expressions or actions, much liberty is given them and quite an attractive community life is developed among them, many of the convicts having been allowed to be joined by their families and provided allotments of land for cultivation. The conditions are so much better here than in the ordinary native life of hardship and poverty that the temptation has proved irresistible to create opportunity to exchange the nominal freedom "enjoyed" under the United States sovereignty at large for its more attractive and beneficent exercise under the prison administration.

Something must be said about the religious conditions of the Islands. First and foremost, the American "missionary" race is conspicuous for its gross neglect of the public offices of religion, so that, as far as example goes, there is a singular dereliction from precept which has had a most unfortunate influence. The Protestant churches are almost empty. The effect of an open "alliance" with the Roman Catholic Church, which it was thought desirable to make public for its effect upon the vote in the United States when the friars' lands were purchased, has done much to foster the great Aglipayan schism, founding its appeal very largely upon its claim to be a "national" church. It was undoubtedly fair and proper enough that these lands should have been bought by the United States and they may turn out a very excellent purchase, but the Church has greatly suffered in the Philippine Islands through the kind of notoriety given to the negotiations. It is perfectly obvious now that the identification of the Church with a "foreign" authority is as undesirable as it is unnecessary. Archbishop Hendricks tells us that when he arrived from the United States he was coldly received as its representative, but when he disclosed himself as a purely ecclesiastical envoy all doubt and hesitation disappeared. The Church has nothing more to look for from the United States treasury, and by disavowing any political affiliations it can undoubtedly win back the support of the patriotic Filipinos.

Three courses were open to the United States when they be-

came possessed of the sovereignty, acquired with the aid of the Filipinos and afterwards purchased under the treaty with Spain.

First, there was the plain and simple course, after the pacification, which it was claimed could not be taken with an "enemy in arms," the course of loyalty to the principles of the Constitution from which there had been so grave a departure, namely: to make a definite promise of a speedy restoration of that independence to the Filipinos which they had really won from Spain as our allies, and to shape every administrative act to the accomplishment of that end, procuring for the independent Philippine nationality the protection of "neutralization."

Second, there was the method of the English "crown colony," by which acquired territory becomes a permanent possession of the sovereign without hope of a national evolution, having no recognized right to share in its own government, while it is developed primarily for the sovereign's own advantage through imported contract labor, if it is found desirable and if the natives cannot and will not accept the situation. This method of control was so generally assumed to be the only practicable one, though deemed impossible to the United States under its form of government, that experienced British colonial administrators like Mr. Alleyne Ireland came over to offer their evidence in behalf of the contention of the Anti-Imperialists that we must alienate territory which could not be effectively administered in harmony with our institutions. Yet, after a lapse of ten years, the American residents in the Philippines boldly claim that this method must be resorted to if there is to be any success or prosperity in the undertaking, and they find adherents in the United States who see no inconsistency in a government "half slave and half free."

Third, the course which has been adopted up to the present time has the merits of neither plan. It is *laissez faire* under the guise of submission to "destiny." The talk is all of altruism, and the Filipinos are to be allowed to play with the idea of independence like children with a toy. One of the Commissioners who recently visited the United States said that he believed that the Filipinos ought to talk about independence, but that they certainly ought not to have it! It is assumed that they have not intelligence enough to see through the vague tolerance of their aspirations, while no preparation for their fulfilment is made and every encouragement is offered to the exploitation of the Islands, riveting

bonds hard to break. Is there not a moving appeal in the voice of the Filipinos, after the years of war and pestilence and famine, and hope long deferred? At the last Mohonk Conference, Señor Pablo Ocampo, the Philippine Commissioner to the United States chosen by the Assembly, spoke for his people thus:

"Facts have eloquently shown and proven our capacity. Evidence in support of it which no one would dare challenge is the incontrovertible fact that the Government established has met with progressive success. No political organizations, no economic or administrative methods have been introduced that have not fully justified their ends, since the response from the natives whenever called for has surpassed expectation. . . . All speaks of the actual fitness of my people, who, calm, yet filled with hope, confidently expect to win from the United States in patience and peace a just verdict upon our cause."

The chosen Speaker of the House of the Assembly, Señor Osmena, in his formal address endorsed by the great majority of the chamber, declared:

"The people desire independence. It believes itself capable of an orderly national life, efficient both in internal affairs and externally as a member of the group of civilized nations, and that, if at this moment the United States should grant the suit of the Filipinos for liberty, upon assuming responsibility they could discharge to the full their obligations towards themselves and towards others without detriment to liberty, to law, or to justice."

The handwriting on the wall, as the Anti-Imperialists read it ten years ago, has been fulfilled according to their interpretation. The growth of foreign Imperialism has coincided with the militarism, centralization and arbitrary assumption of executive power at home against which protest is at last arising all over the land. It is not too late to destroy the evil at its roots, to do justice to a long-suffering people and to vindicate the authority of the principles of the Declaration of Independence and of the Constitution of the United States.

ERVING WINSLOW.

THE CHURCH'S ATTITUDE TOWARDS MENTAL HEALING

BY W. A. PURRINGTON.

THE initial success of all erratic religious movements may be traced in almost every instance to a belief, more or less substantiated, that extraordinary cures of physical maladies have followed, or have been wrought by, the ministrations of their teachers. Such a belief, finding lodgment in the thought of even educated and otherwise intelligent persons, has sufficed to make them enthusiastic disciples of charlatans, whose forthgivings they would have rejected, save for this delusion, with ridicule and contempt.*

It is not proposed to discuss here the likenesses and differences between the various systems of curing the sick in our own day by so-called mental healing, metaphysical healing, faith cure, new-thought, Mormonism; by the methods of Quimby, Eddy, Mix, Simpson, Barnes, the Mountain Evangelist, Matthews,—who call-

* Macaulay puts this admirably, in his review of Ranke's "History of the Popes," referring to Joanna Southcott, the Devonshire kitchen wench, who gathered a following of over 100,000 and established a sect still extant in 1889:

"A very common knowledge of history, a very little observation of life, will suffice to prove that no learning, no sagacity, affords a security against the greatest errors on subjects relating to the invisible world. . . . For these reasons we have ceased to wonder at any vagaries of superstition. We have seen men, not of mean intelligence or neglected education, but qualified by their talents and acquirements to attain eminence either in active or speculative pursuits, well-read scholars, expert logicians, keen observers of life and manners, prophesying, interpreting, talking unknown tongues, working miraculous cures, coming down with messages from God to the House of Commons. We have seen an old woman, with no talents beyond the cunning of a fortune-teller, and with the education of a scullion, exalted into a prophetess, and surrounded by tens of thousands of devoted followers, many of whom were, in station and knowledge, immeasurably her superiors; and all this in the nineteenth century; and all this in London." History repeats itself, and we heed its voice no more than Trojans heeded Cassandra's.

ed himself Matthias and persuaded the good people of White Plains that if he were not released from jail that town would sink below the surface,—Schlatter, Dowie and the host of others who have had temporary success, a greater or less following and even, like Joanna Southcott and Joseph Smith, a survival of their doctrines for a while after their deaths. It is sufficient to say that they agree generally in denying the efficiency of medical treatment and substituting for it a belief in a religious theory, or an idea of health for that of sickness, or a theory of matter's unreality, or an erasure from the brain of subconscious pictures of ancient terror to which is traceable all physical disease, or a blending of these treatments.

Let it be admitted, for argument's sake at least, that in the teachings of all healers, self-deluded or conscious charlatans, there has been and is an element of truth, a causation not fully apprehended by them. Also let the following concessions be made:

(1) The influence of mind on body, and *vice versa,* is great; and, although always recognized by physicians, is yet far from being fully understood and reduced to formulated laws.

Dr. Osler concluded a review of medical progress in the nineteenth century by saying frankly that, other things being equal, the best practitioner is he who inspires most courage in the patient and radiates most hope in the sick-room. So, too, thought Montaigne, whose diatribes against physicians of his day and confidence in Horace's prescription, "*æquam memento servare mentem,*" would vastly please the run of mental healers were they familiar with his arsenal. He said of medical men, whose aid he nevertheless called in:

"It was a good rule in their art, and that accompanies all other vain, fantastic and supernatural arts, that the patients' belief should prepossess them with good hope and assurance of their effects and operation; a rule they hold to that degree as to maintain that the most inexpert and ignorant physician is more proper for a patient that has confidence in him, than the most learned and experienced that he has not acquaintance with. . . . I need nothing extraordinary when I am sick. I will not be beholden to my Bolus to do that for me which nature cannot; at the very beginning of my fevers and sicknesses that cast me down, whilst intire, and but a little disorder in my health, I reconcile myself to Almighty God by the last Christian offices, and find myself by doing so less oppressed and more easy, and have got, methinks, so much the better of my disease."

(2) During recent years, knowledge of the brain's structure

and functions has widened. Neurology has made advances; nevertheless, differential diagnoses of nervous diseases are still difficult and far from being invariably certain, dogmatism and certainty being somewhat different. The line between functional and organic neuroses is not in practice to be drawn offhand, even by specialists. A late writer says: "Many of the minor symptoms of nervous disease and the more exact and elaborate methods employed in their diagnosis are unknown even to the average physician."

(3) It has been noticed, almost from immemorial time, that strong mental suggestion, fright, shock, imagination, hope, fear, superstition, faith and credulity, even so slight a thing as the presence of "the harmless necessary cat," are followed by marked and often astounding physical and psychical results, the chain of whose causation, physiological and psychological, cannot be certainly traced. Nor have these *sequelæ* been reduced in all cases to such a succession of cause and effect as to indicate unvarying laws and certainty of treatment. The same results have followed the vaticination of oracles, the curses of Voodoo queens, the laying on of royal hands, as well as the prayers and encouragement of priests, Pagan and Christian.

(4) The function of any priesthood embraces, within due limitations, ministering to the body as well as to the soul, feeding the hungry, comforting the bowed down, cheering the sick, and doing these things in such wise as to render unto Cæsar the things that are Cæsar's—obeying, that is to say, the laws of the State.

(5) It is a physician's duty to prove all things, so far as practicable; to widen observation and to practise what is believed to be true; bearing in mind that departure from approved methods, unjustified by the circumstances of the case, may subject him to liability for malpractice in case of ill-success, yet remembering that, as has been well said, all science is a voyage of exploration, that some must have courage, and that refusal to examine and, if approved, to adopt new theories is uncourageous and unscientific.

(6) Finally, there is abundance of Scriptural texts approving treatment of the sick by ministers of religion. More or less perverted, they have been cried from the house-tops by the Southcotts, Smiths, Eddys, Dowies, *et id omne genus*. In primitive times, priest and physician, both Pagan and Christian, were one.

Temples were healing shrines. Under the Apostolic canons every church or congregation had a ministry of three women called "widows," two of whom persevered in prayer for the tempted. The other attended women in sickness; one of her qualifications being that she should not be given to much love of wine, so as to be sober and capable of performing the night service. From the tenth to the twelfth centuries the practice of physic and surgery was almost entirely carried on by the monks and clergy. Under Henry VIII, the Bishop of London and Dean of St. Paul's, with four of the faculty, were the medical examiners and licensers within a radius of seven miles of London; while, outside that mystic circle, the Bishop of the Diocese or his Vicar-General, with such of the faculty as he chose to call in, examined and licensed candidates.

The foregoing concessions are thus removed from argument; nor will it be contended that the church of to-day should take no part in caring for the sick. On the contrary, the maintenance of hospitals under church auspices is legitimate and laudable. That priest and pastor should visit and receive visits from the sick, and with discretion comfort them, is not to be disputed. The mental rest and solace of the penitent in the confessional, of the parishioner after counsel from minister or rector, are great and within the church's province to administer.

Indeed, the pastor's spiritual influence over the lives of the flock might be made with advantage, in the exercise of due discretion, greater than it is. There is a society of physicians and laymen in New York City, with branches throughout the country and allied associations in foreign lands, the American Society of Sanitary and Moral Prophylaxis, whose hope and aim are to find methods which, without sensationalism, shock to pudicity or harmful suggestion to innocence, may arrest measurably the spread of those diseases originating in vice that are said by eminent medical men to be a greater menace, a greater source of woes unnumbered, to the innocent than all others, not excluding tuberculosis. It was something of a revelation to Protestant members of this organization to hear from two fellow members belonging to the Society of Jesus to what extent their church, in its retreats, missions and societies or sodalities, seeks by discreet instruction and emphasis upon the need of pure living to safeguard the flock from evils that are veritable scourges of God—against which, more-

over, right living, in which the clergy are directly interested, is the one certain prophylaxis. In this regard the Protestant communions seem less careful than that of the older church.

There is, too, a narrow field for what is called "pastoral medicine," which has nothing to do with mental or psychical healing, but contemplates the acquisition of such knowledge by the priest as will enable him to recognize the approach of dissolution and be prepared to administer the sacrament, and also to give the prophylactic advice last referred to, and be helpful in emergencies; but it by no means includes or contemplates anything like general or extended practice in any class of diseases. Such healing as is said to take place at special shrines, as at Lourdes, is a matter apart: and such healing is attributed by that church directly to divine interposition.

The attitude of the Protestant Church in our day to the various systems of healing already referred to has been one, if not of avowed discouragement, at least of abstinence from participating in or countenancing them. Putting aside, therefore, discussion of those systems, we come to consider the only method of systematically treating the sick for their cure by Protestant clergymen, on behalf of which there seems to be any disposition among men of light and leading to enlist the church's authority.

The American Emmanuel Movement is, of course, referred to. It differs radically from every system above noticed. Its clerical leaders are men of standing, of learning, sincerity, faith and cognizance of history's lessons. They are students of what has come to be called Psychotherapy. They have associated with them prominent physicians. They expressly disavow the contention that disease is only mental illusion and admit that it is due to physical causes and amenable to treatment by medicines and operative procedure; and, although they are hopefully awaiting proof of the cure of organic lesions by psychical processes, they at present propose to accept no cases of organic disease until after the patient's examination and a diagnosis of his case by competent medical men. Their treatment would seem to consist of conversation, counsel, suggestion, to some extent of hypnosis, encouragement, prayer, restoration of hope and finding work and support for those needing it. They propose to build up character and will. Such a movement deserves fair, courteous and deliberate attention.

The general purpose of the American Emmanuel Movement,—for there is one in England, although, apparently, not allied with that of Boston,—would seem to be the adoption in the main of natural methods, *i. e.*, those of Psychotherapy. The introduction to the book, "Religion and Medicine," the official exposition of the system, tells us that the work began in November, 1906, when Dr. James J. Putnam, Professor in the Harvard Medical School, presided at the preliminary meeting. We further learn that the practice of Emmanuelism,—if that term may be used for brevity,—has been confined "to that large group of maladies which are known to-day as functional nervous disorders," and that "viewed as an independent remedial agent the legitimate sphere of Psychotherapy is strictly limited. It is in the field of the functional neuroses that all its real victories have been won." While waiting for an authentic instance of recovery from organic disease through psychical means, and disbelieving, justifiably enough, that any man knows all that is to be known of the subject, the Emmanuelists consider themselves safe in accepting the overwhelming weight of scientific opinion, confining their practice "to a field in which it is known to be efficacious," and thus avoiding "the one valid objection which has ever been urged against psychotherapeutics, namely, its employment in diseases which obviously require physical interference, with the result that many patients have died through sheer neglect." Upon the topic under discussion they say: "As to the propriety of the church engaging in such work, we venture to say that the time is come when the church must enter more deeply into the personal lives of the people and make a freer use of the means modern science and the gospel of Christ place at her disposal if she is to continue even to hold her own." There will probably be no dissent from this statement of Dr. Worcester, the leader of the movement, "What will be the outcome of this movement no man can say."

Giving to Christian Science what to many will seem more than its due meed of praise, this exposition finds the success of that cult to lie in the following propositions: "No one ever yet accepted a form of religious faith which promised to do him nothing but harm," and "the more good any particular form of religion accomplishes, the more men will believe it, and the less good any particular church or religious institution does the less the faith it is able to inspire." By reason of the alleged facts

that Christian Science makes men happy,— it has made some very miserable,—weans them from bad habits, cures disease, removes pain, and concerns itself with present practical and immediate results, this introduction finds Eddyism much superior "to preaching that is vague and impractical, and which deals largely with the distant future." The hypothesis is also ventured that the offer of a ten-dollar gold piece to each worshipper would fill the pews of Emmanuel regardless of the character of the preaching. That is, no doubt, an ideal condition for the pews to be in. The hypothesis may be sound in a thrifty community; but, after all, it is a speculation. M. Edmond About is said to have won a wager that after dinner he would offer to sell guineas at sixpence on Pall Mall with no takers; and the rector of a great New York church, during the recent panic, found no one, so it is said, to accept his offer to lend money without interest.

Certain articles by Dr. Putnam, who has been already referred to, and by Dr. Richard C. Cabot, appearing in an interesting publication, "Psychotherapy," which has given much space to the Emmanuel Movement, are particularly interesting both from their substance and the connection of their writers, both of the faculty of the Harvard Medical School, with the Emmanuel Movement. These physicians are more conservative than those who derive their impressions from the press realize. Dr. Cabot defines Psychotherapy or mind cure, as "the attempt to help the sick through mental, moral and spiritual methods," and he finds its chief characteristics to be the treatment of the entire personality, mental, moral, spiritual and physical, by the co-operation of the physician, minister and social worker; the last being, in many respects, "far more skilled than either the minister or the doctor." Discrediting the exaggerated statements as to hypnotism, he says: "Psychotherapy is not a cure-all; it is not going to reform all sinners or make artistic or scholarly success issue out of a few hypnotic séances. There is no good reason to suppose that Psychotherapy can by itself reform character or cure organic disease. It may aid in the reconstruction of character, and it can do a great deal toward curing disease of the type known to the physician as functional disease—disease, that is, in which there has been no wide-spread destruction of the organs or tissues of the body such as occurs in organic maladies. . . . Mental treatment does not cure cancer, Bright's disease, valvular heart disease, consumption

or any of the stubborn long-standing enemies of that type." Again he says: "The majority of persons for whom Psychotherapy is valuable, and for whom it is apt to be attempted, belong to what has been called the 'over-suggestible' class—that is, those who are over-sensitive to the influence of others or of fortune in any form." He distinctly recognizes the danger of psychotherapeutic treatment of this class in "weakening the power of initiative, of weakening the power to paddle one's own canoe, to solve one's own problems with the help of such powers as we can win for ourselves through sober meditation or through prayer." Here may be read between the lines suggestion of a danger to which practising clergymen and their patients may be particularly exposed—namely, that the hysterical in soul may become dependent upon the healer, just as the hysterical sufferer in body relies upon his cane or crutch long after need for it has passed.

Dr. Cabot has been especially quoted because he is one of the Board of Physicians advisory to the Emmanuel clergy, who, recognizing that growing interest in the matter has resulted in such a multitude of calls as to overburden both the clergy and physicians originally concerned, depriving the latter of time in which to treat the cases, have promulgated rules adopted at Emmanuel in order to preserve and extend the co-operation of physician and minister. Those rules, in substance, are that no one shall be received for treatment at Emmanuel except after examination by and approval of a physician; nor referred to any specialist for diagnosis save with his own physician's consent. Under these rules, intended to make it rest wholly with the physician, and not with the clergy, whether patients shall be received at the church for treatment or referred to specialists, the movement is commended by the Advisory Board.*

Prominent physicians in New York have shown similar approval to the allied movement in St. Mark's Church of that city. But it would seem safe to say that medical opinion is by no means universally in favor of Emmanuelism.† Granting that under these strict rules providing for the rigid supervision of its practice by physicians, Emmanuelism would be safe and beneficial, there is a well-grounded fear that it may extend beyond such oversight.

* For the Board's statement of the rules see the "Boston Medical and Surgical Journal," January 21st, 1909.

† See Dr. Allan McLane Hamilton's article in THE NORTH AMERICAN REVIEW, February, 1909.

"This criticism," says Dr. Coriat, one of the collaborators in the book, "Religion and Medicine," "is a valid one, for no greater harm could be done than to place such an important and delicate weapon as that of psychotherapeutics into the hands of untrained and unqualified men." He further says: "I do not believe—in fact, no neurologist believes—that all so-called functional nervous diseases can be treated by psychotherapeutics."* Dr. Putnam, who, as already said, presided at the preliminary meeting, finding himself reported in the lay press unqualifiedly as an advocate of the movement, has made a public statement in which he says: "While I have a high respect for the characters and purposes of its founders, I am convinced that the movement is a mistake. It is clear that clergymen, without adequate preparation, are assuming responsibilities of a kind that physicians are not considered qualified to assume until after years of study and of training. The question is whether the best interests of the community are really being served by this movement, and in my opinion this is not the case."†

In view of the position of Dr. Putnam and others who think as he does, it would seem reasonably clear that the church as an organization cannot wisely give its sanction to this experiment, even though we gladly concede to its leaders all sincerity, ability and high purpose, and recognize fully the advantages of close, sympathetic relation between the pastor and his flock.

In such movements there are dangers to the clergy, however learned or sincere they may be. Zeal for what seems to some—not to all—a new revelation or a rediscovery of the old, will eat many up. Man's nature is to love employment which yields palpable results. Sense of power is exhilarating. Ability to discriminate, observe and co-ordinate results, and to trace them to their causes is rare. The cure of the body is, probably, more fascinating than that of the soul. So absorbed did the spiritual practitioners of medicine during the Middle Ages become in their physical labor that no less than six Church Councils, including that of Tours in 1163, forbade or restricted medical and surgical practice. Errors of diagnosis and prognosis, even by experts, are, and of necessity must be, many and great. Were it not so, court calendars would be purged of many litigations involving personal

* See his letter in the "Boston Herald," of November 22nd, 1908.
† See his letter in the "Boston Herald," of November 20th, 1908.

injuries. The authenticity of reported cures is equally doubtful. When an offer publicly made by the late Mr. Carroll Norton, Mrs. Eddy's publication committee in New York, to demonstrate by proof cures of cancer and locomotor ataxia by Christian Science, was accepted he produced as his "proofs" scrappy typewritten statements of unknown persons in remote parts of the country, such as are furnished abundantly in behalf of every proprietary nostrum, but without the least evidential value to either the trained scientist or the accurate lawyer. Suggestion works in more than one way. Chapter V of "Religion and Medicine" contains sketches by the Rev. Dr. Worcester of those functional neuroses that afford the Emmanuel Movement its victories, namely, neurasthenia, hysteria, psychasthenia, melancholia, hypochondria, chorea and mania. Perusal of them by the impressionable, especially by the young, would, to say the least, do no good. Recognizing the danger of spreading this sort of food before minds unfit to receive it, the sick are wisely advised to skip the chapter, which, therefore, one may presume, will be thumbed more diligently than any other. Bluebeard's caution did not deter Fatima from taking a shivery view of her predecessors. The Emmanuelists' practice is not confined, however, to these neuroses. It extends to other maladies, and to evil habits. Much success is said to have attended experiments by the clergy in putting sufferers from insomnia to sleep. This is in accord with tradition.

At the present moment, the American Emmanuelists are comparatively conservative in their professions. Not so the English Society, in whose report for 1906 it is said: "During the last year, for example, 1,086 treatments have been given to the suffering. The results have been most encouraging. Among the cases successfully treated may be mentioned one of cancer, in which case the specialist called in had given the sufferer only three months to live. By means of the laying on of hands in prayer a complete cure was effected. Again, there are cases of rupture, rheumatoid arthritis, locomotor ataxia, colitis, and numerous cases affecting directly the mental, moral and spiritual nature, in all of which a complete cure was brought about by the same means." This has a strangely familiar sound. The English Emmanuelists evidently think that they have found what the Bostonians are waiting for, authentic cures of organic disease by psychotherapeutic methods. Such cures have been found multitudinously

before—if one is not unduly critical of "proofs." But, when Mr. Norton produced his "proofs" of the cure of cancer by Christian Science, he was offered five thousand dollars in cash if he would heal a case then under observation and of undoubted diagnosis. He prudently declined the undertaking.

The use of hypnotism in the Emmanuel treatment need not be discussed at length here, nor yet the theory that under hypnotic influence evil suggestion cannot be planted in pure minds. On the latter point authorities disagree; and it has been considered wise in some jurisdictions to confine hypnotic practice to medical men. Moreover, who shall decide what minds are immune? Dr. McComb says that hypnosis is used in only two per cent. of the cases at Emmanuel and under strict medical supervision; that is to say, in "cases of alcoholism and other deep-rooted moral perversions which resist all ordinary methods."* He resents with warmth Dr. Hamilton's statement† that he (Dr. McComb) is said to have stated "that ninety per cent. of the people can be hypnotized," and apparently is of opinion "that nobody outside of a lunatic asylum would ever make this suggestion." Nevertheless, Dr. Worcester, opposing the theory attributed by him to Charcot's school, that only the hysterical can be hypnotized, distinctly says: "On the contrary, all experienced practitioners in this field state that between ninety and ninety-five per cent. of all people on whom the experiment has been tried can be influenced hypnotically."‡ Again Dr. McComb says, with positiveness: "Finally, the clergymen who are at the head of the Emmanuel Movement do not practise medicine. . . . They are not qualified for such work, and therefore do not claim to perform it." Such an assertion cannot be made dogmatically. What constitutes practice of medicine in criminal prosecutions is a question of fact for a jury, depending largely upon the phraseology of the particular statute of the State wherein the prosecution is conducted. Christian Scientists do not use any therapeutic agents. Apparently the Emmanuelists do, for hypnosis and electricity, not to mention others, are so esteemed. Some statutes class as medical practitioners all persons attempting to heal the sick by any means. Under such a law a Christian Scientist was held to be a prac-

* THE NORTH AMERICAN REVIEW of March, 1909, p. 451.
† THE NORTH AMERICAN REVIEW of February, 1909, p. 230.
‡ "Religion and Medicine," p. 41.

titioner of medicine and, not being licensed, properly convicted.* Very recently the Supreme Court of New York held that it would not establish a hard and fast rule as to what constitutes medical practice.†

Finally, the Emmanuelists disclaim any purpose of interfering with the religious beliefs of patients. But the mere fact that their treatment is administered by clergymen implies to the ordinary mind that the element of faith or divine interposition is a factor in the cure. It is not entirely clear from their literature to what extent they make faith in Christianity an element in their healing. But, certainly, the average patient who is cured at the church when the physicians have failed will, almost of necessity, infer that the tenets of the practising clergyman are an efficient, if not the efficient, factor in the result.

The sum of the whole matter seems to be that the church should not lend hastily and officially its great authority to the movement in its present stage. This is very far from saying that individual clergymen should not give to their parishioners all the spiritual cheer, comfort and hope of which they are capable in time of sickness, aid them in combating evil habits and render assistance to the poor and needy.

W. A. PURRINGTON.

* State *vs.* Buswell, 40 Neb., 158.
† People *vs.* Christian, 122 App. Div., 842.

THE EXPERIMENT IN CONSTITUTIONAL GOVERNMENT IN CHINA.

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THE Government of China is commonly regarded as one of the most absolute in existence. Moreover, by reason of its great antiquity and its reputation for conservatism, it has been supposed that Chinese Imperialism would never change. Consequently, it is probable that no announcement ever adorned more countenances with incredulous smiles than the one made early in 1907, that China was to have a constitutional government. Yet subsequent events have removed every reasonable doubt as to the *bona fide* intention of the central Government to share its power and responsibility with the people of the country.

From time immemorial, the Emperor, the Son of Heaven, has been in theory the embodiment of all political power in China. He stands in the relation of a father to his people, and is the sole representative among them of the authority of heaven. The people and their land belong to him. The only limitation to his absolute supremacy is that his rule should manifest a purpose to serve the best interests of the country. So long as he retains a heart loyal to the traditions and destiny of his race, his control of life and property is absolute. From the touch of his vermilion pen there is no appeal. But as the favored Son of Heaven his person is so sacred that he is under the necessity of living a secluded life. Deity veils itself from mortal view, and the dignity and glory of the sole representative on earth of the Unseen, it is easy to believe, can only be preserved by being protected from the contamination and familiarization of the public gaze. But this exalted seclusion must pay dearly for its sanctity. Royalty that is too holy to be seen and heard is also too remote to

see and hear clearly what is transpiring. The actual exercise of that power which is theoretically unlimited must be delegated to wholly human agents who cannot be watched. The actual government of the country is practically in the hands of the Viceroys who rule the several provinces. These are men of affairs, who live in the open, and so dominate, as far as they are capable, the affairs of their provinces and often those of larger sections, sometimes even of the entire nation. To a lesser extent the same is true of the magistrates who, under each Viceroy, rule the districts into which each province is divided.

This is a picture of the absolute side of the Chinese Government. But alongside of this there has strangely coexisted a strong democratic element. This may have originally sprung out of the constitutional *laissez faire* disposition of the official classes, or it may be an expression of the national faith in the inviolate integrity of human nature when left to itself. At any rate, the magistrates do not trouble themselves with local affairs except where crimes are committed, taxes are to be raised, or a "squeeze" is to be extracted. The village elders are held responsible to the Government for the conduct of their citizens, and they have complete control in all purely local matters.

When once the Throne was convinced of the desperate condition of the country, as it evidently was by the events of 1900 and the subsequent settlement with the foreign Powers, it was natural that it should make a sincere effort to locate the cause of the nation's weakness, and to discover and apply the remedy. In 1906 the first imperial travelling commission was appointed to go abroad and to discover by personal investigations, conducted in the leading countries of Europe and in the United States, what is the real secret of the strength of those countries. The commission made its tour, and on its return reported that "It is the unanimous opinion of these commissioners that the backward condition of China is due in the main to the lack of confidence between the Throne and Ministry, on the one hand, and the masses of the people on the other."

On February 18th, 1907, an imperial decree was promulgated in which occurs this remarkable language:

"Foreign countries acquire wealth and power by granting constitutions to their people, together with the privilege of the ballot. Thus the interests of the Sovereign and his people are interlaced so that

what affects the one affects the other. It is necessary that we in China should, after careful investigation, prepare to imitate this constitutional type of government, and, while retaining the supreme control in the hands of the Throne, should entrust the administration of their own interests to the people themselves, through their chosen representatives."

The decree went on to point out that neither Government nor people were yet ready for inaugurating the constitutional government for the nation, and that too great haste would only mean so much labor lost. The Government's programme of preparation was announced to consist in a reform of the official system, careful and minute revision of the laws, promotion of universal education, regulation of the finances and sources of revenue, reorganization of the army, and the establishment of an efficient *gendarmerie* throughout the Empire. When these things should be effected, then would come the time for establishing *de facto* a constitutional government.

There was at least one man in China who took the language of this edict to mean something. Yuan Shih-kai, then Viceroy of Chih-li province, had the seat of his Government at Tientsin. He was a man of tremendous energy, of prompt action, and one of the most vigorous and influential representatives of reform in the country. He is the man who was sent to Shantung as Governor during the troublous times of 1900. He received on his arrival a delegation from the Boxers, and patiently listened to their schemes for sweeping the hated foreigner and his following completely and forever from the land, a thing which they could easily accomplish since by the secret magic of their order all their followers were made invulnerable. He honored the delegation with an invitation to dine in company with some of the leading gentry of the place. After dinner he invited these men to explain their methods fully to the assembled guests. Then he adjourned to the outer court. "Now, gentlemen," said he, "we will put this matter to a practical test." The Boxers found themselves suddenly confronted by a squad of soldiers. It was in vain they protested. The word of command was given, and the muskets disposed at a single discharge of the claims of the impostors, and from that moment the new Governor had the Boxer movement by the throat in his province.

At the re-establishment of Chinese authority at Peking, after the suppression of the Boxer uprising, Yuan Shih-kai was made

Viceroy of Chih-li, which, as the province in which lie Peking and its busy port Tientsin, constitutes the most important viceroyalty in the Empire. His characteristic energy soon instituted important changes throughout the province, but more especially in Tientsin. Here he constructed macadamized roads, sewers, electric-light and telephone plants, laid water-works, and organized and built hospitals, schools, museums and industrial exhibits. He established sanitary and public-works departments, and organized a modern police force. In order that his district and petty officials might be informed in the art of governing well, and in order to keep personally in touch with the work of each of them, he held periodical conferences with various groups of them in Tientsin.

When the Imperial edict appeared ordering people and officials to prepare the way for a national representative form of government, Viceroy Yuan accepted it as meaning what it said, and, on the principle that the only way to do things is to do them, set about to see that the Imperial order was obeyed in the region whose rule had been entrusted to him. He reasoned that the only way in which the people of the Empire could be prepared for general self-government was by instituting carefully organized schemes of local self-government. He argued that people who could not conduct intelligently the affairs of their own neighborhood would never be equal to the larger and remoter responsibility of managing the affairs of a whole nation. He was convinced that the same qualities, knowledge, and experience which made men successful in caring for the public interests of their own localities would fit them for taking part in national affairs. And so he set to work educating his people and officials in the advantages, duties and methods of local self-government. After much preparatory work of instruction, he drew up a scheme of organization and finally, in the autumn of 1907, launched the thoroughly new experiment of municipal popular government in Tientsin. The municipality, as an organism, was unknown before in China. Sections of cities or parts of streets did unite for common protection against fire and thieves. But entire cities never cooperated in this way. Private interests were cared for, but all public interests were neglected. There was no such thing as a street grade, for example, because there was no one to establish it. There were no sewer systems, parks, water-works, street-

improvement requirements, or public fire departments for the same reason. The people had not learned to combine for the management of such public utilities. Large cities knew no local government but that of the district magistrate. Nor was it the business of the district magistrate to establish and regulate institutions looking to the welfare of the city as a whole. He was there to see that the laws of the country were obeyed and the taxes paid. Devastating conflagrations might rage and destroy annually millions of dollars' worth of property; but, so long as it originated by accident, as was usually the case, a fire was no infringement of the law, and so did not fall within his jurisdiction. Moreover, by a very strictly enforced statute, every magistrate in China is an alien of the province in which he bears rule. No one is permitted to hold a civil Imperial appointment within the confines of his native province. This regulation is, of course, intended to prevent favoritism and corruption. But it makes it possible for a few unscrupulous but powerful gentry to manipulate the Government in their own interests by gaining the ear of a newly installed magistrate and preventing him from hearing the truth about the real needs of the locality. Things are made worse by the habit of Chinese officials of surrounding themselves with a host of writers and runners through whom they gather most of their information and execute their orders. These men are open to bribery and may keep the magistrate, unless he is a man of unusual penetration and energy, completely misinformed as to what is transpiring in the community.

To remedy this state of things and to prepare the people for a national representative government the experiment in municipal self-government was undertaken at Tientsin. The scheme was carefully wrought out. It is clear that in its elaboration the most approved Western usage was followed. Yet it is not a mere work of imitation. The authors borrowed freely from Western sources, but with evident intelligent adaptation to conditions in China. A Municipal Council of thirty members, who shall hold office two years, is provided for. These are chosen by a convention consisting of 135 delegates, who in turn are chosen in a general election. A voter must be a male, twenty-five years of age, and able to write his name, occupation and place of residence. He must also be either a native of Tientsin or have resided there five years and have 2,000 taels' worth of property.

Opium-smokers, ex-convicts, bankrupts and persons insane or engaged in disreputable callings may not vote. Yamen runners and writers, and all religious leaders, including Buddhist and Taoist priests, are disqualified as voters and candidates. A candidate must be a qualified voter, and must be in addition a college graduate, or author of some work that has received official recognition, or have property, or have been a director of a school or some public enterprise, or be an ex-official, or have official rank, or the degree of Bachelor of Arts. The manner of conducting elections, of voting and of counting the votes is all very strictly regulated. The Council elects its own officers, and makes its own rules of procedure.

Great care is taken to secure the purity of the ballot. Persons desiring to vote are furnished on application with blank forms to be filled out and returned to the local officer of elections. These papers give information as to the eligibility of the applicant, his name, age, native place, residence, occupation, financial condition and achievements. From the data thus obtained the Election Board makes out lists of qualified voters and eligible candidates. The latter is published for the information of voters. The former is for the use of judges of election. Each person entitled to vote receives a certificate which he exchanges on election day at the place of voting for a blank official ballot to be used in voting. Ballots that are illegible, or that contain names of persons not eligible as candidates, or irrelevant matter, or more names than are to be voted on, or which are improperly made out, or in which a man votes for himself will not be counted. The ballot-boxes are opened and the ballots counted in public. Local election disputes are to be referred for settlement to the provincial Assembly when that shall have been organized (being meanwhile attended to by a bureau of self-government), with privilege of appeal to the Viceroy of the province.

The Council holds two regular annual sessions of thirty days each, which time is subject to extension if necessary. Extra sessions of fifteen days may be called by the chairman at his discretion, or when requested by the local magistrate or by one-third of the members of the Council. These meetings are open to the public, as a rule, but the public may be excluded at the request of the vice-chairman, the local magistrate, or ten members. The local magistrate may attend all meetings and express

his views on all subjects under discussion, but he has no vote in the Council, and his retinue may not enter the Council chamber. Officers and members may not be held accountable for views expressed in debate. During the sessions members are free from arrest, except with the permission of the Council. Members may not vote on matters which personally concern either themselves or their near relatives. All decisions of the Council are by a concurrent vote of the Chairman and a majority of the members present. Its transactions are published unless some exceptional reason requires privacy. The members serve without salary.

The duties of the Council are deliberative and legislative. Its jurisdiction is over the entire district and the matters with which it is concerned are the organizing of subordinate self-governing bodies in the city, towns, and villages, the organization and control of schools, water-works, sanitary and fire departments, police, public works and markets. It also assesses the taxes, passes the budget, and has charge of public property and funds. The police force is under the joint control of the Council and the local magistrate. The Council may make requests of the local magistrate, may inquire into his acts and may even advocate the cause of private individuals before him. On the other hand, he or any citizen may make inquiries or suggestions as to the acts of the Council.

To provide for and carry out the decrees of the Council an Executive Board is created. The district magistrate is *ex officio* president of this Board. A vice-president and eight other members are chosen by ballot by the Council from its own number. These are salaried officers, and resign their position on the Council in order to serve on the Board. They are elected in two classes, two years apart, for a term of four years. Relatives within five generations or relatives by marriage may not serve together on the Board. Members of the local gentry, or persons who have been prominent in educational or public affairs, may attend the meetings of the Board as honorary members. They have the privilege of the floor in debate, but may not vote. The chief duties of the Board are to secure the execution of all ordinances of the Council, and to make such collections and expenditures as the Council shall direct. The Board appoints accountants and secretaries as occasion requires. It has the right of review touching all acts of the Council, may ask that body to reconsider any of

its decisions, and may appeal from it to the provincial Council, and finally to the Viceroy. The local magistrate has a similar privilege with reference to the acts of the Board. The budget for each year is prepared by the Executive Board and is passed upon by the District Council. The Board submits an annual financial statement, together with all the treasurer's vouchers and account-books, to be inspected and audited by the Council. Funds appropriated to specific objects may not be diverted or transferred. There is a monthly examination of the treasurer's accounts and his balance in hand by the president and vice-president of the Board. Any shortage or irregularity discovered shall be made good by the responsible party, with the addition of twelve per cent. if the sum exceeds one hundred dollars. The defaulter's heirs are included in this responsibility.

Three kinds of penalties are provided for various derelictions from duty on the part of the officers of the popular government. (1) The right of suffrage may be withdrawn for a period not exceeding ten years. (2) Fines may be imposed. Light fines of from one to twenty dollars are for errors of judgment. Heavy fines of from twenty-one to one hundred dollars are inflicted for more aggravated offences. (3) Expulsion from office is applied in addition to the heavy fine in all cases of intentional misdemeanor. Receiving of a bribe in election is punishable with a heavy fine, expulsion from office, and being deprived of the right of voting or of being elected for not longer than ten years. These penalties are executed by the local magistrate. It is hoped that it will not be necessary to have recourse to imprisonment. For the present this penalty is omitted.

In inaugurating the experiment in local self-government in Tientsin a variety of expedients were resorted to in order to acquaint the people with the nature of the contemplated change. Picked men from different parts of the country were brought together and drilled for four months in the principles of constitutional government, and were then sent home to instruct their own people on the subject. Lectureships were established in various places where the aims, methods and benefits of representation were set forth. These lectures were published monthly in simple Mandarin colloquial for free distribution. Large placards were conspicuously posted setting forth the gist of the matter, also in colloquial Mandarin, so that they could be easily

read. The people were told that local self-government means power, intelligence and efficiency in attending to public business. In one of these placards which is before the writer the advantages of self-government are thus enumerated: (1) It gives the people the power of concerted action for the public good. (2) It provides for very free exchange of views between the people and the magistrates. (3) It secures to each locality such legislation and control as are demanded by its peculiar conditions. (4) It assures the distribution of knowledge as to practical affairs of government among all the people, and so among the officials of the future. (5) By the fostering of public spirit the whole nation will be cemented together into a grand unit, and so national greatness will succeed to national weakness.

Such arguments addressed to the people of Tientsin and vicinity appear to have accomplished their purpose. The first primary, or popular election for choosing the 135 delegates to the district convention, was held very quietly and successfully on June 15th, 1907. This convention met on July 24th, and selected by ballot the thirty members of the first Municipal Council of Tientsin. On August 18th, this first popular assembly ever officially constituted in China convened, and organized by electing presiding and other officers. Their proceedings were conducted with decorum and under strict parliamentary rules.

The wider import of this event should be noted. This is only an experiment introduced by the authorities with the avowed intention of extending the system at an early day to the entire country. The Tientsin constitution is a model which is to be copied by other localities. The Throne has ordered the local authorities in Canton and several other important centres to introduce the same system, following the Tientsin pattern, and preliminary steps have been taken to carry out the order. It is proposed as rapidly as possible to bring whole provinces into line, granting to each a provincial constitution, and conducting its affairs through a representative assembly. And it is entirely within the field of reasonable hope that within a very few years the final goal will be reached,—that the entire country will be organized on a constitutional basis, and all public policies determined, public utilities controlled, and public interests conserved through the deliberations and enactments of a National Popular Assembly.

O. F Wisner.

THE WAR AMENDMENTS.

BY ALBERT E. PILLSBURY.

In the January number of this Review appeared an article designed to show that the Fifteenth Amendment never became, is not and never has been a part of the Federal Constitution, or of any force or effect in the law of the land. And as the reasons there assigned for this novel, if not startling, proposition irresistibly draw after them the inference that the Thirteenth Amendment and parts, at least, of the Fourteenth are equally infirm, this result is accepted by the author of the article, who expresses the opinion that these also are a nullity. The conclusion is that a case should be made, "preferably, although not necessarily, in one of the five States which refused to accept this so-called Amendment," to bring the question before the Supreme Court of the United States.

Except for the highly respectable source from whence this proceeds, it could hardly be regarded as calling for serious notice or answer. As, however, the judicial standing of the author should qualify him to speak with some authority upon a question of Federal constitutional law, the importance of the subject will justify some attention to it.

The ground of the supposed invalidity of the Fifteenth Amendment should be quoted in its own terms. Disclaiming any purpose to attack the Amendment as not properly ratified by three-fourths of the States, the writer says:

> "The question which we would raise is of far graver import in its constitutional aspect. It is, that this so-called Fifteenth Amendment is not an *amendment*, but an *addition*, to the Constitution; and that, while *amendments* to the Constitution may be enacted by a vote of three-fourths of the States, in accordance with the provisions for amendment in Article V of the Constitution itself, yet an *addition* to the Constitution cannot be made, except by unanimous consent of all the States, which this Fifteenth Amendment never received."

No judicial authority is cited for this distinction between an "addition" and an "amendment" to the Constitution, as there is none; indeed, it is declared that the question "is here raised for the first time," as undoubtedly it is. The article proceeds:

"Addition is something entirely new, and *not germane* to the original instrument: *amendment* is alteration or improvement of that which in some form is already there. The distinction between *addition* and *amendment* is fundamental, and is very clear to every one. No one will claim that they mean the same thing; and it would, therefore, be unnecessary to expend effort to show the difference between them."

This is taking a great deal for granted. It is familiar knowledge that the question of amending the Federal Constitution arose even before its adoption, and was perhaps the subject of more discussion while its ratification was pending before the States than the original instrument itself. No sooner was it adopted than the process of amendment began. Every one of the fifteen amendments has been the subject of the most searching examination in the courts, in Congress and in the country. The three war amendments have been subjected to a microscopic scrutiny that has taxed the intellectual resources of the bar and judiciary of the United States. Their validity has been challenged upon other grounds; and, as to the Fifteenth Amendment especially, legal ingenuity has been racked for the last twenty years to discover means of evading it or grounds upon which it could plausibly be resisted. But never before has the principle been revealed that an "addition" to the Constitution is not an "amendment" of it, and is of no force or effect unless tried by a parliamentary manual and found to be "germane."

The simplest answer to this argument, the one which lies nearest at hand, ought to be enough. Article V of the Constitution provides for amendment of it. What is "amendment"? The standard dictionaries appear to be agreed in defining it, in legal terminology, as a change or alteration, by way either of correction, excision or addition. There is every reason to believe that this has been the universally accepted meaning of that term, until it occurred to an ingenious mind that the Fifteenth Amendment is not an "amendment" because it is an "addition" to the Constitution.

The express limitations imposed upon Article V are of controlling significance in determining its scope or extent. The

slavery interests insisted upon putting the slave-trade beyond reach of the amending power until 1808, with protection for slavery in respect of taxation. The smaller States demanded security against the greater by perpetual equality of power in the Senate. These concessions were made, and these limitations were expressly laid upon the provision for amendment. No other limitations were laid upon it; and, under the familiar rule of judicial construction that the expression of one thing excludes any other thing, no other limitations can be implied. There is not a word or hint of doubt, in Article V itself or in the debates of the Convention, that, saving the express limitations, the Article was intended to provide for any change or alteration in the Constitution which the people, as the source of all political power, should see fit to make. This, indeed, was clearly understood.

Further, the limitations of Article V are not limitations upon the *power* of the people to amend the Constitution. Article V is neither the source nor the measure of that power. The American principle of the sovereignty of the people, and of their right to institute, abolish or alter their government "in such form as to them shall seem most likely to effect their safety and happiness," asserted in the opening words of the Declaration of Independence and reasserted in some, if not all, of the State constitutions, was not only accepted by the framers of the Federal Constitution, but they regarded it as so fundamental that it did not need further expression. It is now judicially settled, as was reasonably evident from the beginning since it is plainly declared, that the Constitution was the act of "the people of the United States" as one people, undivided by State lines. By the Tenth Amendment, indeed by necessary intendment without it, the whole power of alteration of the Federal Government was reserved to the people, acting through their constitutional agencies. Article V is not a reservation of the inherent power of amendment, which did not need to be expressly reserved. It is a provision of certain methods for the orderly exercise of the power, and nothing more.

The Constitution of the United States is not to be interpreted by the rules which govern the acts of private parties; much less by the parliamentary code of a legislative body. The construction of the instrument of government must be as broad as its scope and operation are far-reaching. The assertion of this principle began in the earliest times, with Chief-Justice Marshall, who

called attention to the sparing use of limiting terms in the Constitution, and pronounced a solemn admonition against a narrow or restrictive construction. "We must never forget," he said, "that it is a *constitution* we are expounding." This rule of construction long ago passed beyond possibility of dispute.

If the question whether the Fifteenth Amendment is "germane" to the Constitution could seriously be discussed, it would not be difficult to show that it is germane. If the Fourteenth Amendment is valid as part of the Constitution, the Fifteenth is clearly germane, as it is directly in line with and supplementary to the first and second clauses of the Fourteenth. But, apart from this, the question whether an amendment is germane to the instrument amended is not a question of the relation of words, but of purposes. What are the purposes of the Federal Constitution? They are authoritatively declared, in language so felicitous that it has become classic, in the preamble, where the people of the United States have said that their Constitution is established "to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare and secure the blessings of liberty to ourselves and our posterity." Unless the amendment is so foreign to all these purposes that it can bear no legitimate relation to any of them, it is germane to the Constitution. And, if this question can be raised, it cannot be determined by any tribunal of less authority than the people themselves, in whom alone, acting through their representatives, is vested the power to amend the Constitution, to determine the occasion for amending it, and the character and scope of the amendment.

The only claim of anything in the nature of authority for the alleged distinction between an "amendment" which can and an "addition" which cannot be made to the Constitution, rests upon the title under which the first ten amendments were submitted to the people by the First Congress in 1789. It is said that they were "proposed for adoption under the title of 'additions and amendments' to the Constitution," so that "evidently it was recognized that there was a sharp distinction between *additions* and *amendments,* and that the one did not include the other."

If any argument is to be drawn from this title, it is a simple process to show that it is directly the other way. The joint resolution of Congress submitted twelve articles together, all "as

Amendments to the Constitution of the United States," under the title or heading of "Articles in Addition to *and* Amendment of the Constitution of the United States." All of the articles being thus indiscriminately declared to be "in Addition to *and* Amendment of the Constitution," if it was intended to distinguish between some of them as "additions" and others as "amendments," where is the distinction to be found, or how is it to be known? Which of the articles are "additions," and which "amendments"? The entitling clause, far from affording any means of making such a distinction, is plainly inconsistent with it. It conclusively shows that the words "addition" and "amendment" were not used by way of distinction, but as synonymous and interchangeable terms. The only meaning which the heading will bear, whether regarded as the ordinary expression of common men, or critically, in its precise syntactical significance, is that all of the articles which were ratified are additions to, and all of them are amendments of, the Constitution, without distinction among them.

If the argument sought to be drawn from this title proves anything, it proves too much. If the authors of the amendments actually did recognize the distinction between "addition" and "amendment," and meant by "addition" to describe something different from "amendment," it follows that they actually regarded some of the articles, though we do not know which, as being *additions* to the Constitution, and *not amendments* of it. In other words, the Congress, and its constituents, alike regarded "additions" to the Constitution as being within the provision for amendment, if any such distinction ever occurred to them. The truth undoubtedly is that it never did occur to them. But those who assert the contrary may reasonably be required to accept the results of their own reasoning. There is, in fact, no reason to suppose that the title was drawn with any special care, or was designed to have any particular significance. It need only be added that these "additions" to the Constitution were made in precise conformity to the method and procedure prescribed by Article V; which shows, if anything can show, that "additions" to the Constitution were unquestioningly regarded as directly within the scope and purpose of that Article.

There are more conclusive answers to the question whether the Fathers of the Constitution believed that an "addition" to it is

beyond the scope of the provision for amendment, and one of them is directly invited by the article under review in suggesting the query whether, if Hamilton or Madison had been asked to explain in the "Federalist" the scope of Article V and if anything could be added to the Constitution which three-fourths of the States might think proper, and had answered that inquiry in the affirmative, there would have been any chance of the adoption of the Constitution? A casual examination of the "Federalist" is enough to furnish the answer. In Number XLIX,* Madison says:

"As the people are the only legitimate fountain of power, and it is from them that the constitutional charter, under which the several branches of government hold their power, is derived; it seems strictly consonant to the republican theory to recur to the same original authority, not only whenever it may be necessary to *enlarge*, diminish or new-model the powers of government, but also whenever any one of the departments may commit encroachments on the chartered authorities of the others."

In Number LXXXV, Hamilton points out that it will be less difficult to obtain amendments of the Constitution after its adoption than to recast the work of the Convention before adoption; and he says:

"Nor, however difficult it may be supposed to unite two-thirds or three-fourths of the state legislatures in amendments which may affect local interests, can there be any room to apprehend any such difficulty in a union on points which are merely relative to the general liberty or security of the people. We may safely rely on the disposition of the state legislatures to erect barriers against the encroachments of the national authority."

Not only was the possibility, to Hamilton not unwelcome, of "encroachments of the national authority" plainly before him, but in this very passage he was meeting an argument based upon it, as we know from the history of the discussion. If he understood or believed that the Constitution permitted no extension of the Federal field of power by future amendment, this would have been the appropriate and conclusive answer, and it would have been Hamilton's answer.

The "Federalist" essays were in the hands of every statesman and publicist of the time, accepted then and ever since as the

* Numbered XLVIII in some editions.

highest authority on the subject except the debates in the Convention itself. The debates had not then been given to the world. The views of Hamilton and Madison as expounded in the "Federalist" were the views of the Constitution under which it was accepted by the people. But we do not need to know what Hamilton or Madison thought of this question. We know what the people thought of it, and what they did about it. The question whether additions can be made to the Constitution was substantially settled in 1791, by the adoption of the first ten amendments.

It is without force to say that these additions were all in restraint of Federal power. If the Constitution can be altered, it can be altered in either direction. There is nothing in it, or in the contemporaneous discussion of it, or in any subsequent discussion or judicial exposition of it for one hundred and twenty years, to warrant the belief that the Federal powers cannot be extended by addition if the people see fit to extend them. In the controversy provoked by the three war amendments at the time of their adoption, every reason which legal or political ingenuity could conceive was arrayed against them, but not this reason. The war amendments have always been judicially recognized, and in some cases expressly declared, to be additions to the Constitution, in derogation of rights theretofore held by the States, as plainly they are. But, as the court says, "A State cannot disregard the limitations which the Federal Constitution has applied to her power. Her rights do not reach to that extent. . . . Every addition of power to the General Government involves a corresponding diminution of the governmental powers of the States." The Fifteenth Amendment has on several occasions been judicially enforced, and never, in the numerous cases where it is drawn in question, has there been intimated the remotest doubt of its validity.

Neither is it to the purpose to say that these ten amendments were ratified by all the States, or that "*addition* requires *unanimous* consent of the States, while *amendment* may be made and become effective by a vote of three-fourths of the States." It is admitted that the assent of three of the States does not appear in the Federal archives, and it was not needed. There is no ground in the Constitution for any distinction between the assent of three-fourths and unanimous assent. No such thing can be read out of it or into it. No method is expressly provided, even

by unanimous action, for abrogation of the provisions of Article V that slavery is to have a certain protection, and that the States shall be equal in the Senate. Doubtless, they could be or could have been annulled by unanimous action of the States; but, if this should be done, plainly it would be an amendment of the Constitution, and not an addition to it. So the only case calling for unanimous consent which can arise out of any constitutional provision is not the case of an addition, but of an excision.

It is enough to say that the Constitution does not contemplate the unanimous consent of the States to anything, nor any contingency requiring such consent. The Constitution stands upon the rule of the majority, and every State which comes into the Federal Union is bound by the action of the constitutional majority, exactly as the individual citizen is bound by it in the ordinary operation of government. This was noticed by Hamilton in the Convention, and must have been understood then as it has been universally understood ever since.

It is said that, if additions can be made to the Constitution, it will be possible to overthrow the Federal system and establish a centralized despotism. This does not necessarily follow, but this very possibility was urged against Article V in the Convention, and that Article was adopted in the face of it. If it were a question of possibilities, it might well be asked: Would it be possible to believe that this acute and enlightened body of men, engaged as they were in creating a Federal government of real powers for want of which the Confederation had proved impotent and worthless, intended to put the people in such a position that they could never again extend its limits, to any extent or under any conditions, for all time to come, or to put them in the attitude of abdicating forever a substantial part of the political power of which they were the depositary, and that this was done without disclosing or indicating by a single word that it was being done? If this is true, the judgment which the world has pronounced upon the Convention of 1787 will have to be reversed.

We now know that it is not true. The debates in the Federal Convention are the final and conclusive evidence. The accepted canon of construction being that a constitution means what it was understood and intended to mean in its inception, we have only to turn to the Madison Papers to settle the question.

The discussions which led up to Article V, while comparatively

brief, disclose enough for the purpose. Some members saw no necessity of any provision for amendment. To them Madison and Randolph replied that the plan was sure to be found defective, as the Confederation had been, and it was better to provide for amendment in a constitutional way than trust to chance or violence. The first reported draft provided for amendment on application to Congress by two-thirds of the States. Gerry objected that this would enable two-thirds of the States to make innovations which might altogether subvert the States. Hamilton did not object to this; it was no more objectionable to subject the whole people of the United States to the majority voice than the people of a State; but he opposed the draft as confining the initiative power to the States, which he thought should be extended also to the Congress. Sherman moved an amendment to this effect, but calling for the consent of all the States, which was opposed and three-fourths was substituted, *nem. con.* Mason objected to the draft finally reported by the Committee on Style as practically leaving the whole power in Congress, so that no "proper" amendment could ever be obtained if the Government should become oppressive. To meet this, Gouverneur Morris and Gerry proposed to require the Congress to call a convention whenever two-thirds of the States should apply for one, which was agreed to. Sherman now opposed any provision for amendment, as it might be fatal to particular States by abolishing them altogether or depriving them of an equal voice in the Senate; and he moved to strike out the whole Article. This was voted down; and, the smaller States being reassured by the proviso, moved by Morris, that no State should be deprived of its equal voice in the Senate, and the slavery interests having already been placated, the Article passed into its final form.

It thus appears that the danger of additions to the Federal power, even so great as possibly to subvert the States, was directly brought before the Convention by several of its most influential members. Their apprehensions were disregarded. The view of one party was that the amending power of the States was liable to be so exercised as to unduly cut down the Federal Government, and of the other, that the amending power of Congress was liable to be exercised to the detriment or even the overthrow of the States, and there were some who thought that this result might follow from any provision for amendment in any form. Never-

theless, the Convention, with all these hazards in view, determined to give both Congress and the States the power to initiate amendments. It was done deliberately, upon the open and uncontradicted assumption that the amending Article was all-embracing and was subject to no limitations except those which were expressly imposed. By no word or sign is there any indication of a purpose to exclude future additions to the powers of the Federal Government from the scope of amendment, or of any understanding that they are excluded.

So much for the legal question. The article under review is unsparing in denunciation of the "so-called" Fifteenth Amendment. It is said to have been "the source and cause of untold calamity to our country"; it has "greatly injured our Aryan race and seriously threatened the stability of our Aryan institutions"; it was "conceived in iniquity and begotten to subserve grossly partisan purposes"; it is "a fanatical tenet," "read into the organic law so far as it was possible for the fanatics to read it," and "a perpetual source of irritation and annoyance to all true lovers of their country"; and, finally, "it is time that it should be wholly expunged from the statute-book by proper judicial construction."

The main purpose of the present article has already been fulfilled, but something is due to the truth of history. Such assertions as these cannot be justified, and they might, perhaps, be safely left to their own extravagance. Inasmuch as the Fifteenth Amendment has practically been nullified in the States most affected by it, and as Congress has yet manifested no disposition to enforce the representation clause of the Fourteenth, there is hardly occasion for the degree of excitement here betrayed over a question which, in this aspect, may be regarded as academic rather than practical. But there are reasons of vital importance for enforcing the war amendments, which sooner or later will have to be dealt with; and this not merely in the interest of the negro, but of the white man, in order to preserve an equal balance of political power between the States which have disfranchised the negro and the other States of the Union. By the process of disfranchisement that balance is now thrown so far off its equipoise that a vote cast in the former States much more than offsets, in the Federal Government, a vote cast in the latter. The question is not whether the negro shall be the equal of the

white man, but whether every white man, in any State, shall be politically the equal of every other white man in any other State.

The Fifteenth Amendment can be enforced without danger of negro supremacy in any State of the Union. All that is needed, and all that the extremest political opinion of any part of the country ever has demanded, is an honest and impartial application to both races alike of such suffrage laws, howsoever exclusive, as any State may choose to adopt. The evils ascribed to the Fifteenth Amendment are not due in any degree to that source, but to the refusal of the people of the States most affected, who have no objection to the negro as a negro, to accept him under the Fourteenth Amendment as a citizen. There is every reason to believe that, if the Fourteenth Amendment had been fairly received and observed, the Fifteenth never would have been enacted or thought of.

The proceedings in the adoption of the Fifteenth Amendment are denounced as "grossly improper" and "disgraceful in the extreme," "a history of infamy and the most disgraceful page in our annals," and it is said that the States which were compelled to accept the so-called carpet-bag legislatures "at the point of the bayonet" may well be justified in repudiating their action. It is settled that alleged "coercion" is not judicially cognizable in such a case. But to this claim of a political or moral justification for repudiating the Fifteenth Amendment, it may be permissible to reply that the Federal Constitution as an entirety is at present in force in eleven States of the Union only "at the point of the bayonet," since its authority had to be re-established there by the military power of the United States. Unless this is a reason for annulling the whole Constitution, it does not appear to add anything to the case against the Fifteenth Amendment.

At this distance from the reconstruction period, and after long and systematic perversion of the facts, there is so much misapprehension or positive ignorance of the truth that it is worth recalling. It was within the power of the dominant party to control the reconstructed States, if this had been its purpose, without the aid of a negro vote. This was not its purpose. The Fourteenth Amendment went no farther than to make the negro a citizen, leaving him to be dealt with by the States as they might see fit; in the hope and belief that he would be fairly treated, and that some such scheme as President Lincoln proposed, of mod-

erate and gradual extension of the suffrage by impartial tests to the best of the negro race, would preserve order under white supremacy and work out a peaceful and satisfactory solution of the problem, as it would have done if adopted. These liberal terms were flung back upon those who made them. The contemptuous rejection of the Fourteenth Amendment by all the States of the late Confederacy, accompanied by a system of legislation remanding the negro to servitude in fact if not in law, betrayed a purpose toward him which could not be indulged consistently with the honor or the safety of the country. It also raised the direct issue whether the terms of reconstruction should be prescribed by those lately in rebellion, or by those who had remained loyal to the Union. To this question there could be but one answer. This, and this alone, brought on the Fifteenth Amendment, which was, in simple truth, no more than the last necessary step in the process of suppressing rebellion. It does not confer the suffrage upon a single negro. It forbids discrimination against him as a negro, making suffrage to that extent impartial, but not universal. Every assault upon it is evidence of a desire and purpose to exclude the negro from the suffrage, whatever his character or qualifications, solely because of his color, while admitting to it every white man, however ignorant, worthless or depraved, and retaining, in open disregard of the Fourteenth Amendment, the whole share of political power of which the disfranchised negroes are despoiled.

The dream of annulling the Fifteenth Amendment by judicial decree will never be realized, but the political question will be a source of danger so long as it is left unsettled. If the people continue to ignore the injustice to the negro, they will not always tolerate the injustice to themselves. In the event of a Presidential election turning upon the thirty-odd electoral votes now unlawfully controlled by the white South, is there any assurance, or is it likely, that the party in power would surrender possession of the government to a claimant under such a title? A controversy so arising, precipitated under such conditions, would shake the Federal structure to its foundations. To allow the country to drift into such a situation is forbidden alike by patriotism and statesmanship.

A. E. Pillsbury.

DANGERS LURKING IN WOOD-PILES.

BY LOUIS WINDMULLER.

It is known that fires occur more frequently in New York City than in London; but that the value of property annually destroyed is tenfold greater here than it is abroad is not adequately appreciated. Losses by fire equal twenty-five cents *per capita* of the population in France and Germany, thirty cents in Great Britain and three dollars in this country, an annual aggregation of two hundred and fifty million dollars. Almost the whole of this amount is paid by the underwriters who have insured the property. The individuals who buy their policies should realize that premiums correspondingly high must reimburse for losses the companies who issue the policies. These premiums, being almost ten times greater here than they are in Europe, constitute an onerous tax on every person who is compelled to insure property to protect either himself or his creditors.

The chief cause for the immense difference in the cost of insurance in Europe and America is the inflammable material and flimsy composition of the greater part of our structures. Nine-tenths of all American dwellings continue to be built wholly or chiefly of timber, and wood is used in all other buildings to some extent. Early settlers found an abundance of the choicest qualities of this material when they cleared the virgin forests. They first learned to use it for log cabins, later for commodious houses. In the building of the ten million frame houses which exist in this country the supplies of the best timber have naturally been reduced, and as one species after another has become exhausted it has been replaced by cheaper, less suitable varieties. Brittle hemlock has superseded pine; resinous cypress is substituted for walnut; and these inferior grades are apt to be employed, before they are seasoned, in the composition of important structures.

Many cots are still covered with shingles which may be ignited by a stray spark from a passing locomotive. In the twinkling of an eye the blaze spreads through hollow partitions and often dooms the hovel before the wretched tenants can save their lives.

In the erection of the solid buildings which rise within our cities little care has been taken in the selection of the requisite material, insufficient attention has been paid to the influence which the changes of temperature must cause, and in some cases the safety of the foundation itself has been disregarded. Our people were proud of the palatial warehouses in which Chicago merchants traded; yet these lofty stores, built of iron and limestone, considered impregnable to flames, burned like tinder when an upset candle ignited the loose straw of a stable and started, in October, 1871, a conflagration which threatened the Queen of our West with ruin. Within four-and-twenty hours property to the value of two hundred millions was consumed by flames. Seventy Insurance Companies failed, never again to resume.

A similar misfortune befell Boston thirteen months later. Seven hundred "fire-proof" buildings, with solid walls of granite and iron, were destroyed with the seventy millions of merchandise they contained; this fire completed the ruin of some insurers who had survived the Chicago disaster.

Almost all large cities in the Union have had on some scale a similar experience. Every inch of the Parker Building in New York City inspired confidence; it had an excellent reputation for safety; yet, when it took fire, several firemen were killed and property worth two millions was destroyed. The property which was destroyed in 1904 in Baltimore, amounting to seventy millions, was chiefly contained in old-fashioned "solid" brick houses.

The solidity of European buildings, of the German especially, has been demonstrated by their durability. It took six years, from 1616 to 1622, to erect the town hall of Nürnberg; and a substantial period of time was consumed in the construction there, and in all other "Hansa" towns, of those magnificent residences which, like the Fugger house in Augsburg, were built for the merchant princes of three hundred years ago. They remain to this day ornaments of their respective bailiwicks; some Guildhalls, like the "Hôtel des Brasseurs," in Brussels, continue to serve the purpose for which they were constructed.

Neither the guns nor the torches of French invaders could

annihilate the walls of Heidelberg Castle; lightning-bolts failed to demolish the tower. The foundations of this "German Alhambra," not finished until 1618, were laid six hundred years ago. Ruins as they are and have been since the reign of Louis XIV, they are likely to remain, for years to come, eloquent, though silent, witnesses to the beauty and strength of German architecture. Educated in the "Gymnasium Carolinum" of Münster, which was founded a thousand years ago by Charlemagne, the writer had occasion to admire the solid walls which surround that ancient school and which show no sign of decay. These architectural models were observed by the writer in his younger days; later in life he had opportunities to admire the castles of France, the churches of Italy and the strongholds of England.

But in Germany the construction of buildings is considered a more responsible vocation than it is elsewhere; architects cannot obtain the requisite license until they have graduated from a German university; they must obey the laws of their respective communities, and are liable for the proper performance of their contractors' duties.

The "Baupolizei," as the German Building Department is called, first requires that there be submitted to it, for approval, the plans of a proposed structure, with a copy of the contractor's specifications. The height must conform to the width of the street, the architecture to surrounding styles. After the municipal arbiter has passed the plans they must be submitted to the Councillor of State. When he also has approved them ground for the foundation may be broken. From that day until the "roof is raised" it remains under constant surveillance. Every part must conform strictly to the regulations; inspectors visit the structure while it is in course of erection almost daily and test the strength of every beam and of every stanchion. Oak may not be replaced by chestnut, nor pine by basswood; the framework must be filled with plaster to make it permanently solid; no ornament which may prejudice safety is permissible. The state authorities must approve the final report of municipal inspectors before the owner may take possession of his property.

Germans build deliberately, generally for their own occupancy. We erect houses with ill-advised rapidity. As we live without repose, so we build without rest. *"In Hast ohne Rast."*

A majority of our houses are erected to be sold at the first

opportunity; when the owner has disposed of them their fate ceases to interest him. And the completion of buildings we erect for occupancy by ourselves or by prospective tenants is hastened so as to render them productive at the earliest moment.

In suburbs where persons of moderate means, who are tired of sunless tenements, seek shelter cruel land-sharks provide cottages which at small expense they have erected within a few weeks to sell to the first eager customer. Finding he cannot hire, the home-seeker is persuaded to buy one of these gaudy snuggeries on the instalment plan. After he has entered into possession, it does not take him long to discover that appearances have deceived him. The roof leaks, the glazed tiles cover a smoky chimney, the iron pipes which connect his porcelain bath-tub with the sewer are already perforated, and all the ornaments he admired concealed, through an abundance of paint and putty, a multitude of the faults which abound in inferior grades of timber.

When we turn to large buildings in large cities we find many sky-scrapers, from fifteen to twenty-five stories high, which consist of steel frames filled with concrete, and covered by an outside curtain of stone; they are erected in the most approved manner within twelve months from the laying of their corner-stones. This celerity is accomplished by means of three shifts of skilful workmen, who constantly labor with the utmost zeal and the best implements—during the night by artificial light—to make the timely surrender feasible. Contractors who complete the work earlier than agreed upon receive a premium; while those who remain in arrears are fined for every day's delay. Although the erection of these structures is pushed on with a rapidity repugnant to the mind of the old school of architects, they have successfully withstood every attack of the fiery elements; in cases when their contents have been cremated their presence became a bar to the progress of a conflagration. A building of this class, which was constructed under such conditions as I have described, survived the Baltimore ordeal of February, 1904. When older structures had to succumb, at least two of these structures bore the test of both flames and earthquake in San Francisco in 1906. It is confidently expected that if not all, almost all, will be found equally staunch during any future conflagration, even though a proper inspection during their construction may be impossible. In reconstructing Messina in Sicily, which was recently destroyed by

an earthquake, several large buildings of American steel construction are being erected.

The code of building rules of the National Board of American Fire Underwriters, of 1899, which has been generally accepted by building departments, prescribes, with similar sanitary regulations, an inspection as rigid as prevails in Germany. But these laws are frequently disregarded by our inspectors.

Some officials in busy towns, like New York and Chicago, claim that they are underpaid and overburdened. A thorough inspection of houses built with unusual celerity is difficult; but many overseers neglect a duty they can perform, and some have unblushingly offered, in consideration of a bribe, to overlook deficiencies which they have discovered.

In many small cities or villages building departments are unknown; scant attention is paid to the safety of structures in other towns where they exist. Owners must rely for proper inspection on their own scrutiny or that of their architects. When asked to insure properties in such a locality careful underwriters must send, for their examination, special agents who, in the absence of regular fire-fighters, are often compelled to decline the risk.

There are in almost all our cities "Department Stores" which contain under a single roof an extensive assortment of valuable merchandise; and some large cities embrace districts where the values concentrated within a comparatively small compass are immense. In the "dry-goods" section of New York City, between Broadway and the Hudson River, values to the extent of five hundred million dollars are concentrated between Barclay and Bleecker streets.

Numerous appliances have been devised to protect these aggregated values against destruction. The pressure of some three hundred pounds of water which has been made available by direct connection of pumping-stations at the rivers, through movable water-towers, is amongst these appliances the most effective. But so far this protection applies to New York, Boston and Philadelphia only. It will probably be introduced into all large cities which enjoy the advantage of extended water fronts with an unlimited supply of water. Other contrivances which diminish the fire danger consist of stand-pipes, prescribed for buildings more than eighty-five feet high, of water-tanks, watchmen and of automatic sprinklers combined with automatic alarms.

As all these measures lessen the fire risk, the premium for the insurance of property so protected is reduced, in proportion to the reduced risk, to about one-half of the ordinary premium.

The most practicable, at the same time the most expensive, of these measures is the automatic sprinkler equipment, which when properly installed pours water on the fire as soon as heat reaches the head of the device; it is combined with an alarm that gives firemen timely warning of the danger. This same appliance has reduced the cost of the mutual insurance of New England mills almost to the European standard. Mutual associations of property-owners in many other parts of the country have followed this example; they protect their property by the same devices and enjoy similar benefits. Although this protection would diminish the cost of insurance and the danger, some underwriters fail to call the attention of their clients to the advantage offered by this opportunity. They encourage the greater risk, because it is coupled with larger premiums; on the other hand, some short-sighted insurers are so penurious as to refuse the assumption of this wise expenditure.

The owners of a rope walk in Chelsea, Massachusetts, had refused to provide the sprinklers, without which the underwriters refused to insure their factory; they allowed their policies to lapse rather than incur the expense. The Standard Rope Company lost in consequence a hundred thousand dollars in the conflagration of 1908.

American docks are usually constructed of wood; often they are covered with combustible merchandise awaiting transportation. In June, 1900, some bales ignited on docks of the North German Lloyd in Hoboken, New Jersey; merchandise and docks were consumed by flames, and because neither tugs nor fire-boats could be found to haul them into the stream the steamers "Saale" and "Bremen" moored alongside were practically destroyed. Five millions of property and some lives were lost. Since then this company and other wealthy merchandise-carriers in Hoboken and Manhattan have rebuilt their docks of iron, have divided them into fire-proof compartments and decline to receive hazardous goods. But most of our docks continue to be inflammable.

The fire in East Boston, Massachusetts, in 1908, originated on the wooden wharves of the Boston and Albany Railroad Terminal, and destroyed several ships and warehouses. A similar fire, caus-

ing the loss of half a million, recently occurred on a dock in Galveston, Texas.

The contents of many offices have been consumed when careless writers flung a burning cigarette into their paper-basket. The indifference of some smokers is amazing; a match heedlessly thrown on to a heap of rubbish, which had been allowed to accumulate in the cellar, ignited a fire that destroyed Adams Express Building in 1904.

The storage of combustible material should be rigorously restricted and transgressors punished, as they are in other civilized communities. By the admission, contrary to law, of combustible substances to Tarrants' old drug-shop on Greenwich Street, New York, the entire building was, by their explosion, annihilated in 1900, and the property of the company, as well as a large portion of the property of their neighbors, was destroyed. Almost all underwriters who had insured Tarrants' neighbors refused to pay losses caused by the explosion, and were sustained by the courts in this refusal.

A fire policy in France insures not alone the client who pays for it, but it covers the property of his neighbors as well, because in case of a fire he is compelled to pay his neighbors' loss. This risk, called "*Le risque du voisin,*" makes French householders very careful.

Underwriters make an effort to control electric apparatus, yet defective wires continue to threaten theatres and other buildings where electricity is largely used. The frequency of theatre fires demonstrates the inefficiency of electrical control. The conflagration of the Iroquois Theatre, likewise misrepresented as fire-proof, in Chicago, in December, 1903, which caused the death of some six hundred persons, originated in defective wiring.

Fireworks on the Fourth of July, bonfires on election days and Christmas trees at Yuletide are at their respective periods a menace. Petroleum when used to start the kitchen fire is a perpetual danger to households. Faulty construction of heaters has caused the destruction of many homes.

By constant vigilance and the imposition of severe penalties on malefactors, the number of incendiaries has been reduced.

In refusing to insure buildings they consider unsafe, or by exacting a prohibitive premium until they are safeguarded, our underwriters exercise a beneficent influence. But they have no

jurisdiction over careless servants; they cannot control the vagaries of the American boy. Without the hearty co-operation of State and municipal authorities and public-spirited citizens our fire waste will continue, unless efforts to substitute fire-proof material for timber in our buildings become more generally successful. The successful use of reinforced concrete and terra-cotta for the filling of sky-scrapers should encourage a more extensive use of the same material in the construction of dwellings.

In hardness and durability concrete equals if it does not surpass the best stone. When timber became scarce, it was used as a substitute by the ancient Greeks and Romans. The continued existence of the ruins of their concrete temples erected several thousand years ago proves the strength of the substance.

The supply of good American cement and of concrete is inexhaustible. Large buildings have been erected of it in many cities and in some suburbs at a lower cost than that of other material which could have been obtained for them. This is especially true of the Pacific coast. Some of the finest villas were built of concrete in Buenos Ayres in Argentina. Concrete is supposed to be proof against moderate earthquakes. A great part of San Francisco has been rebuilt of reinforced concrete.

Passenger-barges of concrete ply on the rivers of France and Italy. Small dwellings of concrete have proven to be too expensive thus far, but Mr. Edison and others are making experiments which, if successful, will bring the cost of a good concrete suburban home within reach of the poor. Should they not succeed, American ingenuity must find some other substitute for timber. Without systematic efforts to cultivate suitable forest trees on a large scale, building timber will soon be too expensive for a poor man's home. Be it ever so humble, our laws protect him in the possession of his fireside. He is lord and master of his hut as much as the millionaire is of his castle, and he has the same right to repel the intrusion of unwelcome strangers. Why should we not help to safeguard him against the intrusion of a cruel element?

Our pretentious but combustible bungalows should be replaced by comfortable dwellings which will be impervious to fire as to water, and which will not be, like the old frame houses, in need of constant repairs.

LOUIS WINDMULLER.

WILL ENGLISH BE THE INTERNATIONAL LANGUAGE?

BY ALBERT SCHINZ.

In commenting upon ex-President Roosevelt's attempt to reform the English language three years ago, the European press was inclined to imagine in that unexpected step an *arrière-pensée*—the idea of promoting the chances of English as the world's language. Whether Mr. Roosevelt entertained such an idea, we are unable to say; we know, however, that the chairman of the Simplified Spelling Board, Professor Brander Matthews, has such views: "If there is to be a world's language in the future," he said, in an article published some time ago, "it will be English. That much is certain." Assuming that such a thing as an international language would be desirable, he finds that English fulfils almost all the necessary requirements. Not only is it a fact that, thanks to its remarkable vitality and energy, the English race, "a masterful race," is fast gaining supremacy over the whole world, but it is also true that the English language will show most decided advantages when it is compared with other languages from the linguistic point of view. Its vocabulary is half Teutonic and half Latin, and it thus stands, so to speak, midway between the tongues of the two other great civilizing races; moreover, in its structure, English may be considered "the most advanced language, in that it has rid itself of most of its grammatical complexities, the declensions and the conjugations, the arbitrary genders and agreements which still encumber every other tongue." There is one thing, however, which is an actual drawback, and a very serious one, Professor Matthews declares, namely, its spelling.

It is doubtful whether the people who speak of English as if it were to be the international language of the future realize the

different questions involved in this claim, and it seems worth while to examine Professor Matthews's view.

I.

Let us first turn to what we might call the political aspect of the problem. This is by far the most uncertain aspect of it, since no one knows, in considering political issues, what to-morrow may bring forth.

Much may be said in support of the idea that the English-speaking nations are destined to gain the leading position in modern civilization; we are also ready to admit that in that event English will stand a very good chance of spreading more and more widely.

A great many attempts, all more or less fanciful, have been made to estimate the respective positions of the civilized languages. That of Lewis Carnac, an Englishman, has been often quoted as one of the most trustworthy, and in 1899 he set forth as follows the results of his investigation:

English is used by 116 million people; Russian by 85 million; German by 80 million. If the probable increase is calculated at the average rate of the last four centuries, the end of the twentieth century will show the following figures: *English spoken by 640 million; Russian by 233 million; German by 210 million.*

Now, in the first place, nothing proves that speculations as to the future can be safely founded upon events of the past. In fact, it seems almost impossible to solve such problems as this by means of statistics. Suppose, for example, that a census had been taken at the end of the eighteenth century instead of the nineteenth, and that in the same way the four previous centuries had been adopted as a basis in calculating future growth, there is little doubt that the French language, which now does not rank even among the first three, would have come out as the world's language of the future. The German Schwab, indeed, who won the prize *ex æquo* with the famous Rivarol, in answering the questions as to the causes of the progress of the French language, a prize offered by the Berlin Academy in 1784, proposed French as the international language just as Professor Matthews advocates English. Then the French Revolution occurred and upset all prophecies.

After the revolutionary era is over, Russia may show itself

unexpectedly stronger, at a point of development corresponding to that of the United States in 1776. While the Anglo-Saxons have perhaps reached the zenith of their civilization, the Slavs have still before them the full bloom of their power and energy. We must not forget that the last page of their epic literature, that literature which corresponds to "Chanson de Roland" and "Beowulf," was turned not much over one century ago. Moreover, the country has produced a remarkable number of great men, statesmen, writers, scholars, artists, and surely this harvest of strong personalities contains rich promise for the future.

But let us admit, for the sake of argument, that history will develop as suggested by the figures of Lewis Carnac. One thing, at least, is pretty certain—that on the day when English will threaten seriously the other languages, there will be a very strong resistance to it on the part of its rivals. In fact, actual resistance has already begun. The "Pangermanisten" in the Kaiser's empire are agitating the question of the spreading of the German language as well as of others which all aim at the Germanization of the world. Moreover, Germany does not stand alone, and in case of pressing need all those threatened would agree on common action against the common foe. As things are today, the 85 million Russians and the 80 million Germans alone would, as far as numbers are concerned, counterbalance the 116 million English. If we accept the figures given for the end of the twentieth century, namely, 640 millions as against 233 and 210 millions, the other nations joining the movement would again more than make up for the difference. The fear of being absorbed would lead to desperate fights. In fact, such alliances have already been hinted at and even openly proposed. The reader may recall the famous "Projet Chappelier," some six years ago, which was heartily endorsed by the great French linguist, Michel Bréal. Mr. Bréal set it forth in a remarkable article in the "*Revue de Paris*," in which he said:

"The question would be to make between France, England and the United States of America an agreement, not political, not commercial, but linguistic. According to this agreement, English and French would be, in the future, united in the educational institutions of the three countries. The learning of English would be made compulsory in French schools, and French would be made compulsory in England and North America; not only in colleges, but even in the primary schools of all fair-sized cities. The result of such an arrangement would soon be felt.

The two languages, thus designated to serve as a means of communication between 180 million people, would acquire *per se* a great authority. The nations of Northern Europe would have little trouble regarding the learning of English, a language related to their own; and the people of Southern Europe would be as favorably situated with regard to French, which is a Latin language. In this way an irresistible current of opinion would be brought about, which ultimately would overbear all attempt to resist it."

We need not say how this project was received in Germany. And yet, on the third of August, 1906, Professor Diels, the Rector of the University of Berlin, delivered a great speech on the International Duties of Universities, in which he discarded first Esperanto, then Latin, but advocated a linguistic agreement—for scientific purposes only—between French, German and English.

Finally, even admitting that in the end all nations might find themselves in such a position that they would be morally forced to adopt English as the universal language, the time necessary for conquering all resistance is bound to be very long. Therefore, if men find that they really need such a language, they will hardly be willing to wait for the end of our political conflicts in order to solve the question and realize their dream. Some short cut will have to be found.

Such a remedy was proposed, as we all know, in the form of an artificial language, and while Professor Matthews may be perfectly right in his anticipations that the world is not going to adopt any such thing as Volapük or Esperanto, yet we must mention Esperanto here as one more rival which English will have to overcome; and perhaps not the least serious one. Abroad, many advocate the new language—without openly admitting it—chiefly in self-defence against English. And even in America and England, Esperanto is gaining ground surprisingly. Professor Matthews must be aware of the danger to his own solution, otherwise he would not devote a part of his article to fight the idea of an artificial language.

His arguments, however, cannot be said to be convincing; they are at times surprising. He says, for example: "Nothing is more certain than that the majority of mankind can never be made to learn an artificial language;" and with what reason does he support that "more certain"? We quote the author's own words: "History shows us that it is not by reason

that a language spreads abroad and is spoken by increasing millions." We should say that history does not show anything of the kind; one could prove anything by reasoning in this fashion. History would show also that there is no instance of a nation having ever used a flying-machine as a regular means of transportation between different cities; none has done it because nobody so far has been able to construct an air-ship which will work properly. To infer from the fact that humanity did not adopt a bad air-ship, that it will discard also some suitable invention, is a rather questionable deduction.

Professor Matthews perhaps shares with a great many people the belief that artificial languages by the thousand have been offered to humanity. Nothing could be further removed from fact. Except a few adaptations of living languages, only *five* projects in all have been fully worked out, so as to be ready for use in case of acceptance by the world. The making of an artificial language is very different from the mere idea of making one; the mere idea is extremely common and as old at least as the story of the Tower of Babel. Diderot described exactly how the telephone would work more than a century before it was actually invented.

II.

We come now to the linguistic aspect of our problem. Here we stand on solid ground; nothing need be allowed for speculation based on data which might be all changed by to-morrow.

We will start from the statement of Professor Matthews which every one who has had any chance of considering with some care our chief national tongues will admit; namely, that "English is the most advanced language in its structure in that it has rid itself of most of the grammatical complexities, the declensions and the conjugations, the arbitrary genders and agreements which still encumber every other tongue." But, while admitting this, we may remark, on the other hand, that English has retained, after all, too many grammatical complexities, even some that are no longer found in other languages; such as the distinction between *who* and *which; his, her* and *its* (French, for instance, very well doing without them); and again, that the so-called simplifications are not always so admirable: you have in no other tongue such awkward and cumbersome constructions as *my beloved ones,* which would not be necessary if there was a way to distinguish the

number in adjectives and participles. But, in the main and since we are concerned here only with languages slowly formed by natural (and therefore always more or less crooked) ways, we repeat that Professor Matthews's contention is perfectly just, and that, as compared with other living languages, English has rid itself of more useless elements than any other.

But is this really all, and is it enough?

Of course, if English is adopted as the international language, it must be taken as it is. Now Professor Matthews does not seem to be well aware of what the difficulties are which strangers have to overcome when they try to learn the language.

There exist in English an unusual number of conventionalities of speech which ought to be observed, if the true, specific spirit of the language is to be preserved. There are, *e. g.,* equivalent expressions like "he went to town on his horse," or "on horseback," or "he rode"; or again "he went in a carriage" or "he drove." Now, as was natural, English-speaking people employ the shorter expressions for common use, the longer ones being kept for the cases only when a more specific meaning must be conveyed. But a stranger will do just the reverse; he will, in a language which is not his own, use an expression which sounds natural to him, viz., "he went in a carriage," because this is a literal translation of a sentence existing in his own language, and he will naturally speak poor English. To master the innumerable idiomatical constructions and terms in English is for a stranger the chief difficulty in acquiring the tongue. A stranger is naturally puzzled when he comes to such a sentence as "he showed him to his room," because in all other languages people say, "he showed his room to him." Then there are such idiomatic expressions as "to dine some one," "to walk a horse."

So to rid a language of its grammatical complexities does not always mean to make it plainer and more consistent, and easier than others. Even if one can discover the meaning after some practice in linguistic gymnastics, it is impossible to credit a person with so much keenness that he will know at once when he can take such short cuts and when he cannot.

Idiomatic style is to be found in all languages, but there is surely more of it in English than anywhere else in our national tongues. This counterbalances to a great extent its apparent simplicity as pointed out by Professor Matthews. What is the

use of doing away with grammatical complexities, if we are to replace them by most tyrannical conventionalities in style?*

But here comes something probably more surprising still to Professor Matthews and all those who share his view that spelling is the great stumbling-block that may prevent English from becoming the international language. Spelling is not the stumbling-block. In fact, it is just the contrary; it is the so-called erratic English spelling that tends to make the tongue easy to foreigners; reforming the present orthography would render English much harder to strangers, even though it might make it easier for natives. Observe that you will never find a foreigner who has had any trouble with English orthography. Occasionally, if he has a superficial mind, he may think that it is funny; for instance, when he sees a sound expressed in French by one sign *ch*, represented in English by nine different ones: *sh*ine, pen*sion*, *s*ugar, i*ss*ue, con*sc*ious, na*t*ion, so*c*ial, o*c*ean, *ch*arade.† But, whatever he may think of it, this spelling gives him no trouble. Observe further that, if one seldom sees foreigners making mistakes in English spelling, natives, on the contrary, are making them constantly. We know of a college of high standing where examinations in spelling are held even in the senior year, and sometimes conditions in this subject are never passed off. This apparent anomaly interests us; there is a very obvious reason for it. Read over the list of words just quoted from President Wheeler's article; every one of them is a foreign word, or let us rather say an international word. Except for some slight differences in *Schein*, *conscient* and the Arabic *sukkar*, they have even retained their native spelling in English. And, for the vocabulary at least, this is exactly what makes English easy to foreigners. Spell those words according to the universal system of orthog-

*The writer of this article is French by birth and can speak from experience in this matter. When he began to write in English and asked friends to go over his manuscripts, they would over and over again change a phrase which was grammatically and logically right, and replace it by some idiomatic expression. When asked what was the trouble with the first version, the almost invariable reply was: "Nothing; it is correct; but you cannot use it." Violent protestations, and explanations to the effect that indispensable nuances of thought were sacrificed on this altar of detestable formalism in speech, were of no avail. In several cases the original version was surreptitiously put back before mailing the manuscript, but some magazine editor, or even the printer, would quietly change it again. The fight was finally given up in despair.

† See President B. I. Wheeler's article on "Spelling Reform" in the "Outlook" of October 6th, 1906.

raphy—*i. e.,* almost phonetically—they will no longer be recognized. In the French system, for instance, they would read, according to the dictionary thought the best by some English scientific authorities, namely, John Bellows's: *chaïne, pennchenne, chougue'r, ichyou, konnschess, néchenn, sochel, ôchenn, charaide.* Up to the last one, they will all at once become entirely new words to a stranger. English will thus become as difficult a language to learn as any other, since the spelling, thanks to which the stranger had at least something to rely upon, will be entirely changed. We know very well that the reformers say that they do not propose such radical transformations. *Now,* it is true, they do not—but later? If spelling reform means anything at all, it means the employment of phonetic spelling as far as possible; and as letters, in English, do not have fixed sounds—and cannot have because they have a different value when they apply to Teutonic words and when they apply to Latin words, as wine (German), and marine, (French); learn (German), and create (French), gird (German), and gibbet (French)—the possibility of a consistent reform would depend upon either one of these two conditions: Agree upon an English alphabet, radically different from the present one, on the system of one letter, one sound; or, spell English sounds with the uniform system of spelling that is in existence in other languages. Nobody ever proposed the first method and probably nobody ever will (although it would be the simpler); so there remains the second, which seems to have been adopted by the promoters of the spelling reform. We have used the term "uniform" to qualify the systems of spelling in European languages (except English); for, after all, the differences are very slight. Take, for instance, the word *nature,* spelled almost alike in French, German and English; it is easily recognizable when pronounced either in French or in German; but when an English person pronounces it, nothing in the sounds produced will remind a Frenchman or a German of the letters contained in the word. To make both pronunciation and spelling match for a stranger, you ought to spell your English word (according to Bellows) "*nétcheur,*" and in German something like "*neetscher.*" Thus, ultimately you are bound to come to something resembling our examples.

Let us draw our conclusion: If the spelling board wishes

to simplify English orthography for English people, it may do a very laudable work; but if it proposes to make English more acceptable to strangers as an international language, it is entirely mistaken and had better stop its campaign at once.

III.

The difficulty of English for strangers does not lie in its orthography, but in its pronunciation. Abroad, people will constantly say that they can read and write English readily while unable to utter a word or to understand a word of the spoken language; as, of course, *vice versa,* a great many English and Americans can read and write French long before they can understand, or make themselves understood; the other languages are just as difficult for them to pronounce as English is for others. The only difference is that English stands alone with its system, or lack of system, of pronunciation. When a Frenchman knows how to write German, he is at the same time able to speak the language, if not beautifully, at least so as to be understood; the same holds for a German speaking French.

We have not seen anybody yet, either on the side of the reformers, or on that of their opponents, who has called attention to this difference between the spoken and the written language in English; and yet one realizes now the importance of it. The language that is difficult is the spoken language, while the written language remains easier than any other living language. Therefore, if you wish to use English as the world's language, you ought to adopt the form of the written, and not of the spoken language. In other words, you must *reform not the spelling, but the pronunciation* of English: *you must not try to spell English as it is pronounced, but to pronounce it as it is spelled.* You would thus keep the advantages of the language as set forth by Professor Matthews, and get rid of its drawbacks.*

IV.

There remains only one more point to examine. For the sake of argument let us suppose that the political and senti-

* Else one does not see anything but the still more radical step of creating a language, which, after all, as granted implicitly by Professor Matthews, might be even simpler than English. He says that English "has rid itself of *most* of its grammatical complexities"; we can very well conceive of one that would retain only the necessary grammatical elements and drop *all* complexities.

mental reasons against making English the world's language do not exist; let us also ignore for a moment the linguistic difficulties which have just been discussed; even then, one may well be justified in asking whether it would be desirable that English should become the world's language, considering the question, of course, from a purely English standpoint.

No national idiom can expect to become international without undergoing some changes; and one can easily foresee that these changes will not be for good. Their general character can be expressed by the word *Neutralization.*

The individuality of a language, that which gives it its value—*i. e.,* its strength, its beauty, its originality—must be given up, for it must adapt itself to the common needs of a great many different nations situated in different parts of the world. As President Wheeler said, lately, the formation and transformation of a language are due, not so much to the necessity of expressing "what is within one," as of expressing "what will be intelligible to others." Thus, in order to keep in contact with all, to remain "intelligible" to all, English, if ever it came to serve as an international language, could not develop the qualities which are really its own. It would no longer be the strong efficient language we know, but a colorless, neutral sort of speech which might be very useful, like potatoes, but ugly to listen to and poor in expression. The specific qualities now proper to it would be diluted so that they would practically disappear.

Why is it that we like so much our national languages as spoken in past centuries? Why do old English, old German, old French appear so delightfully picturesque and graceful and crisp? Because they were more concentrated languages than our present forms. As time went on, and those who spoke these languages had to make themselves understood by a greater number of people, the process of neutralization began, and gradually became more accentuated, until now we are in our present condition, trying to remedy the lack of "relief" of modern speech by more or less witty "slang."

Consider the vocabulary. In the course of the last few centuries each national language has dropped some words, but has always taken in from abroad a great many more. Here is a table (taken from Brachet et Dussouchet) classifying the 32,000 words contained in the Dictionary of the French Academy:

Of Latin stock	3,800
Of Teutonic origin	400
By derivation from primitive words, as *richard, enrichir,* from *riche, pauvrette* from *pauvre,* etc	7,800
Of foreign and scholarly origin	20,000
Total	32,000

Twenty thousand of foreign and of scholarly origin! Nearly two-thirds of the language that is still universally considered as one of the most beautiful on earth. And the proportion is growing larger, much larger since 1878, the date of the latest edition of the Dictionary. Linguists and artists are constantly publishing protests, although with little hope of success, as they are sensible enough to realize that all efforts will be of no avail until some international language is given to the world, one which will take care of a great part at least of those ugly "intruders."

Now, suppose this process of natural neutralization multiplied tenfold, twentyfold, an hundredfold, and you can imagine what will remain of the purity of the language that will have the very questionable honor of becoming the international language.

What a foolish race we are beholding to-day between those tongues that are trying to outdo each other on the world's market! Do the men who lead in this movement imagine that the world language of to-morrow is going to occupy the same prominent position taken by French when it was called the Universal Language? What a great delusion that would be! French was the universal language for the *élite,* and to serve as such was a great honor. But what people want to-day is a universal language for everybody, for the *masses,* for the *crowd* as well as for the educated classes. Indeed, in present circumstances, far from its being an honor for a nation to provide the world with an international language, it ought to be considered a most undesirable thing. Every country should do all in its power to avoid the disfigurement and flattening of its language by universal usage. Far from trying to give its tongue a chance to become universal, it should do all that is possible to prevent the threatened danger and charitably put the burden on some neighbor's shoulder. The French should favor the aspirations of the Germans in this respect, and English and Americans should agree to introduce Russian in all their schools rather than risk the pearls of their language.

ALBERT SCHINZ.

THE CRISIS IN UNIONISM.

BY HENRY WHITE.

THOUGH unionism has won universal favor, the union itself has never been menaced by forces so formidable as threaten them at the present moment. Among these are not merely the united employing interests, but practically all other elements, if the result of the national election in which labor issues were dominant, the legal decisions on questions vital to the union and the sentiments of the press may be regarded as trustworthy indications of the situation. As an institution, the union is approved, but its power is distrusted; and this distrust has deepened into an antagonism which has dealt the union its severest blow.

A few years ago the labor-unions stood out as a power of great potency. A large part of the industrial world was under its sway and political managers competed for its favor. Mr. Roosevelt, when President, attested the importance of the unions by frequent conferences with their leaders; and, in a special message to Congress, he urged the passage of certain of their measures. When, in 1907, the United States Supreme Court handed down a decision in the Hatters case declaring labor-unions within the purview of the anti-trust laws, and, later, the District of Columbia Supreme Court, in the Bucks Stove and Range Company case, held boycotting to be a conspiracy, the unions sought by special legislation to annul these decisions. In addition, it was decided to defeat for re-election Congressmen not favorable to such bills. The fiasco which attended the first attempt of union labor to "make itself felt at the ballot-box" impelled the leaders to a bolder move.

Last summer the union chiefs waited upon the political party Conventions to demand the endorsement of the unions' radical programme. The deference shown them contrasted strangely with

the treatment previously accorded to such committees, upon several of which committees the writer served. Never had union labor attempted so audacious a part, never was it conceded so exalted a place in the councils of the national parties. The Republican Convention went as far as it consistently could in the effort to meet the leaders' demands. The Democrats, with their hope staked on the labor vote, granted all that was practically asked. The Republican candidate, though not yielding on the cardinal issues, exhibited the keenest anxiety concerning the labor attitude, and sought to appease the opposition. Just before his nomination, Mr. Taft came to New York to defend his labor record in a speech at Cooper Union. The labor attitude alone placed the election in doubt.

The farcical showing of the influence of labor at the polls which again resulted, the judgment of the District of Columbia court sentencing the three heads of the American Federation of Labor to varying terms of imprisonment for contempt of an injunction, and the wide extension of the open shop have brought about a condition epoch-making in union history.

The political effacement of organized labor for the time being has weakened it industrially more than at first appears. The fear of the political influence of the union secured for it many legislative concessions and also control of administrative positions in the departments of Federal, State and Municipal government. One of the results was the unionizing of a considerable proportion of government work. During the past year the open-shop movement reached its climax. Trades which were union strongholds are now "open." The hatting industry, which by reason of the general use of the union label was thought to be impregnable to the employers' movement, is the latest to succumb. The hatters' union, though it received the concentrated support of the entire union influence, was disastrously beaten. In the shoe and clothing trades the union label has been largely discarded. With a view to counteracting this rapid decline in the use of the label, the American Federation has recently planned an extensive campaign through a separate bureau.

Very significant is the abandonment by the coal-miners' union of the demand for recognition, or at least its decision not to press the issue. The refusal by the Companies to meet the demand of the union made a repetition of the anthracite strike of seven years

ago seem inevitable. Heretofore unions have preferred to risk their existence in the attempt to compel recognition in the belief that the union could not live without it.

The effect of the reverses of the unions has been virtually to put an end to those agencies of coercion which have so largely figured in their upbuilding; to force unionism upon a voluntary basis. If there is anything assured, it is that the union will never again be permitted to go back to its former régime. The employer will certainly not let up in his war on the closed shop—if anything, he will be encouraged into renewed activity; the judiciary will not change its attitude on the boycott and union intimidation generally; public opinion will not brook trespass by the unions upon social rights. The union can no more go back to its more recent practices than it can return to the time when it fought machinery, or to the days of the sympathetic strike. By the very energy with which the union pushed its way, resistance was provoked which will subside only when the irritation shall have been definitively removed. In this case, there is not merely the natural resistance of the employers, but also the force of public sentiment back of their resistance. How will the union meet this condition? Will it persist in its policy with the idea of prevailing eventually, or will it yield to the logic of events?

A glance at the labor press will afford a sufficient answer to this question. Certainly, there are in that press no evidences of a change of front nor of any realization of what the situation portends. If anything, its tone is more radical and defiant; so much so that for once the strict trade-unionist and the straight-out Socialist are in accord. Differences in methods are thrown aside in defence of common principles. On occasions of this kind it is seen how identical are the basic concepts of the two in respect to the function of capitalist and laborer.

The union leaders, trained in the rough-and-ready ways of the movement in its early stage, concerned only with speedy results, and oblivious of the social aspect of the union, are not inclined to put aside methods which have so far stood them in good stead, and the union members are not likely of their own volition to resist primitive impulses and look beyond their immediate objects.

The justification urged for the closed shop is that the workers cannot be trusted to stand by the union if free to join or not to join any shop in which they might find employment. For that

reason it is contended that a shop must be either all union or all non-union, "all free or all slave." The compulsion of the non-unionist is accordingly unavoidable; it is necessary for his own good and for the good of his fellows. Deprived, therefore, of the power to drive into the ranks the unwilling or indifferent workers, the union must fall. In this is expressed the whole union position.

The truth of this plea, considering the conditions under which the union has been evolved, is not to be gainsaid. There are examples of unions which appear at first to prove the contrary, such as the Railroad Brotherhoods. Here, however, there are exceptional conditions and exceptional men. Founded upon voluntary membership, and with policies differing essentially from those of other unions, they hold aloof from other organizations. The hazardous nature of the calling and the high insurance benefits of the Brotherhoods are a strong inducement to seek membership.

But the incapacities and necessities of the union will not alter the attitude of outside elements. Certain of its methods having become obnoxious by reason of the extremes to which they have been pressed, they must be abandoned, or the union must face the alternative of a defensive struggle against even greater odds. Employers, who previously through motives of expediency submitted to union control, now are willing to submit to great loss rather than yield, and never have they been so unified. Judges who treated lightly breaches of the law by the unions are now inclined to regard them severely.

The plea of union advocates, that the union cannot live unless allowed to go on as it has been going, places the union in a sorry light. Without peaceful suasion as its guiding principle, the union is without a case.

A closer study of the union, however, will disclose another side. The experience of the writer has been that, when put upon their mettle, working-men will unite on their own account; a spirit of solidarity will be engendered among them which serves the union better than any amount of external pressure. In the many trades in which the open shop has been enforced, unionism does not seem to have materially suffered. The disruption which in some cases followed has been overcome by energetic effort. What is true of individuals is equally true of bodies of working-men.

Their initiative is awakened and their possibilities developed by responsibility. When dependent upon outside support, the qualities of self-reliance, the great merit of unionism, remain dormant.

However severe the setback the union movement may experience, there is slight probability of unionism being destroyed. The habit of organization has been too deeply implanted, and its benefits have become too evident to warrant the wage-workers in forsaking so efficient a means for their betterment. Should the movement perchance be dismembered by reason of present difficulties, there can be no doubt that the spirit which gave it impulse will be asserted in other ways.

Working-men, like others, will do the easiest thing. It is easier for them to fight an invention than to adjust themselves to it; it is easier to cudgel the non-unionist than to persuade him. It is easier for the leaders to govern by intimidation and force, to control by privilege and monopoly, than by moral appeal and economic methods. Where improper means are not available efforts will be directed along other channels.

Unwholesome tendencies of unionism have always been corrected by antagonism, and by antagonism often ruthless and destructive. Its history is a story of checks and setbacks which, in each case, have forced it upon a broader course. The workers seeking their own ends are unable to look beyond their own ends; in asserting their own rights it is not easy for them to see where the rights of others begin. Antagonism has been a most valuable factor in the progress of the unions.

In the present crisis, we see another and a more telling demonstration of this truth. Will past experience be turned to account to put the union in harmony with the conditions of social welfare, or will the leaders persist in a reactionary policy and invite possibly the greatest of all disasters? At all events, it is clear that we are nearing the end of unionism by compulsion and probably the rise of a new unionism—the unionism which will rest exclusively upon merit. Perhaps this situation presages a new order of leadership, the superseding of the agitator by the labor statesman, of which England offers delectable examples; the type that will regard the union from its social aspect and from its possibilities as a promoter of industrial justice.

HENRY WHITE.

NEW BOOKS REVIEWED.

"THE Book of the Courtier," practically forgotten for two and a half centuries, is once more revived. It had, through Sir Thomas Hoby's translation in 1561, much to do with the English ideal of a gentleman, an ideal somewhat contemptuously restated three hundred years later by Newman. "*Il Cortigiano*" and "The Idea of a University" illustrate excellently the differences between the Court of Urbino and that of Victoria, the age before the Reformation and that after the Oxford movement—a difference in essential nobility.

The Perfect Courtier was Castiglione *himself,* as his latest biographer points out;* his life was crammed with splendid events and momentous issues. He served great princes, two dukes of Urbino, the Marquis of Mantua and Clement VII. He visited England on a mission to the Order of the Garter, and he ended his life in Spain as Papal nuncio, trusted and well beloved by Charles V. He was the close friend of Raphael and Bembo, the intimate of the most distinguished connoisseurs and scholars of his day. Nor were his own gifts less than theirs. His letters are still full of life; his poetry, both Latin and Italian, keeps even in translation a delicate grace that is like fragrance.

In Mrs. Ady's "Life and Letters" his charm revives. She adds to sound learning a rich imagination and a quick sensibility to beauty and feeling; and beyond all this, the magic power of bringing to life whatever she lays a finger on. For a decade or more, she has wisely limited herself to a single country and period; so that in taking up this book her reader finds himself instantly among old friends with a thousand prepossessions in their favor and their author's. Yet never in her successive vol-

* "Baldassare Castiglione, the Perfect Courtier: His Life and Letters." By Julia Cartwright (Mrs. Ady). New York: Dutton & Company, 1908.

umes has she repeated herself, but with each new book she has widened the sphere of interest, adding the Mantuan Court to the Milanese and now that of Urbino to the stage upon which her splendid figures play their parts. She knows her archives well, and publishes in these fine volumes many documents hitherto unedited. But it is far more to the purpose that by her shaping spirit of imagination she has recreated a world for us, touching us with sudden pity or living admiration and reviving, in his habit as he lived, the figure of the Perfect Courtier with his spotless loyalty, his statesmanlike wisdom, his dilettante accomplishments, infallible tact and indescribable grace and charm.

Every one must be grateful to John Lane for reprinting Dennistoun's "Dukes of Urbino."* This ample and admirable work had long been exceedingly costly and hard to come by; and but few scholars and no dilettante could afford to be without it. In the reprint one misses the quaint outline engravings, and the wealth of really beautiful process prints hardly makes up for a few choice copperplates. With less excuse, the present editor has made almost as many mistakes in his attributions of his pictures as the original connoisseur. Who, nowadays, but a few museum directors and Mr. Hutton, would call Caroto's "*Duchess Elizabetta*" a Mantegna or the Paolo Uccello "Profile of a Lady" a Piero della Francesca?

Quaint, captious, provincial in historic estimates where not frankly partisan, the original work is yet a monument not merely of learning, but of critical judgment and taste. James Dennistoun of Dennistoun, disapproving equally of Republican and ecclesiastical government, plainly felt that the only proper state was modelled on the Whig monarchy. So with irresistible enthusiasm he wrote the lives of four or five *condottieri* and tyrants, believing them in his heart to be somehow nearly akin to the border barons of the Scottish marches. Besides such complete histories of his leading figures as leave for those who are to follow him no occupation, save correction of trivial errors and accumulation of insignificant evidence, he offers all the title promises, and more—memoirs illustrating the arms, arts and literature of Italy.

* "Memoirs of the Dukes of Urbino, illustrating the Arms, Arts and Literature of Italy, 1440–1630." By James Dennistoun of Dennistoun. New edition, with notes by Edward Hutton. John Lane Company, 1909.

It ill behooves the present editor to sneer at the taste and to fall foul of the historian; for without Dennistoun, Mr. Hutton would have been far to seek for his own "Cities of Umbria." On first hearing of the new edition one wondered how this sturdy Scotch Protestant of Protestants would accord with the soft, seductive philanderer with the Scarlet Lady. And, of a truth, the apologist of the Roman Church has not treated the Scotchman well. Like Wordsworth's robin with the butterfly, it was his business to love him and leave him alone. Nor is the ungraciousness redeemed by weight and seriousness. Barring the rather puerile interjections appended to the chapters on art, the annotations consist, for the most part, of references to Mr. Hutton's own book on Sigismondo Malatesta. The editor does not seem to be acquainted with the archives at first hand and in the original form and tongue, but limits himself to recent historical works of little interest to any but the scholar who would already be familiar with them.

One wishes the editor might have been more of a scholar or more of a connoisseur—some one, for choice, accustomed to ransacking libraries and transmuting the spoils into more precious metals. But on any terms, it is an excellent matter to have a reprint of the eternally delightful and serious Dennistoun.

For Mr. Horsburgh's book on "Lorenzo the Magnificent and Florence in Her Golden Age,"* there is a clear place and an excellent *raison d'être*. It is written, not primarily for scholars, but for the average cultivated reader who knows Italy and its history in a general way and is glad to know more. Without the cumbrous apparatus of bibliography and marginal reference, it offers a clear account of the historical situation within which Lorenzo moved, and a full and readable account of his surroundings and his policies. That the reader brings away from it rather a corrected knowledge of the great Medici than a sharp impression is not the fault of the author, unless it be accounted a fault to have no genius. Everything else he has—candor, knowledge, a large and wise judgment of the age and the types with which he is called to deal, and, more than all, an engaging freshness and naïveté of spirit. It is the fashion of the moment now to justify every-

* "Lorenzo the Magnificent and Florence in Her Golden Age." By E. S. Horsburgh. Putnam's Sons, 1908.

thing in the past, the factious republics, the sanguinary tyrants, the scepticism of scholars and the effrontery of Popes. Lucretia Borgia has been completely rehabilitated and Sigismondo Malatesta whitewashed. But Mr. Horsburgh takes such pains with his evidence and his argument that one is willing to believe anything for the work's sake. The style, which it were unfair to call slipshod, is yet lacking in distinction, but perhaps it is all the happier medium for a temper so ingenuous, straightforward and sincere.

To one whose only association with the name of Winkworth has been "The Life and Sermons of Dr. John Tauler," the "*Theologia Germanica*" and the "*Lyra Germanica*" (both the latter now included in "The Golden Treasury" series), and who opens the "Memorials of Two Sisters"* expecting to find mystic communings and the meditations of recluses, a rude shock is already prepared by the two handsome portraits; the round, plump, humorous, early-Victorian type of countenance is no more closely related to the workaday world than the full, active and interesting lives of the two sisters. To turn back to life lived as it was before 1875 is always to get a large sense of leisure and thoroughness, of life carried on more or less as an orderly retail business rather than in the gross, wholesale manner of the present.

But how charming and how interesting it all is, and how one delights in hearing these sisters tell how their hearts bound at the thought of being able to get lessons in logic and moral philosophy, though they would have preferred grammar and composition. To be sure, their tutors were the Rev. William Gaskell and Dr. James Martineau. "Fancy how my heart jumped at the idea of Mr. Martineau teaching anything!" writes Susanna.

But learning was not everything. These young ladies dance the quadrille with Charles Dickens when he has just sent off the month's instalment of "David Copperfield," a task that occupied him the first fortnight of every month, he tells them. They comment upon Miss Mulock, who has just published her first novel and who lives in London with another lady friend; "and they have latch-keys to the front door, quite like men." These young ladies who translate German mysticism go to balls at seven o'clock

* "Memorials of Two Sisters: Susanna and Catherine Winkworth." Edited by Margaret J. Shaen. Longmans, Green & Co., 1908.

in the evening and get home at four o'clock in the morning; they are on intimate terms with Mrs. Gaskell and watch the birth of each of her novels; they chaff Mr. Carlyle and argue with James Martineau, Maurice and Froude; they stand in the closest friendly relation to Baron Bünsen, and one of the most interesting pages is that of the long conversation between Catherine and Charlotte Brontë just before the latter's marriage, when she says of the prospective bridegroom: "I cannot conceal from myself that he is *not* intellectual; there are many places where he could not follow me intellectually," and again she repeats her fears that such a character, "while quite reliable, might be less amusing and interesting than a more impulsive and fickle one; it might be dull!" It is quite evident that the little lady who depicted such violent and absorbing passions had herself to be content with a very humdrum domesticity. Susanna and Catherine visit at the Froudes' house with Arthur Hugh Clough and Max Müller; they hear Thackeray deliver his lectures on the English Humorists; they know Frances Power Cobbe who is their married sister's intimate friend; they see Florence Nightingale and stay with Jenny Lind. The married sister, Mrs. Shaen, some of whose letters are included, is as deep in intellectual interests, as keen and as wise in judgments, as thorough a thinker, as either of the more famous sisters.

The note of the mystic rarely breaks through and only in slight allusions, as when Susanna writes: "The only thing in my favor is that my faith, such as it is, has not been moulded into form by educational and traditional influences or carried out by my own learning and logic, but cast from life's furnace at boiling heat." The letters exchanged between Susanna and the Rev. F. D. Maurice are valuable as evidence of the state of religious discussion of the time; it is the schism between Unitarianism and the Church, the latitudinarians and the conservatives, and gives one a startled sense of how the breach has widened since then. It is good to see that Susanna had thought her way, doubtless through her studies in Ruysbroeck, Boehme and Tauler to a conception of the spiritual solidarity of the race.

The volumes are made up of letters excellently selected and well put together, and give a charming backward glimpse into the home life of a half-century ago and the most interesting and stimulating society in England at that time.

To those who are fond of literary gossip, Mr. Hall Caine's "Story"* must, in despite of defects, appeal. It is mainly an account of his long devotion to one of the greatest of English poets and painters and one of the unhappiest of geniuses, Dante Gabriel Rossetti. Had Mr. Caine published the Rossetti letters to himself, along with his memories of the great poet, it would have made an interesting document to add to the Rossetti literature which is already, owing to the unremitting industry of Mr. William Michael Rossetti, so voluminous. It is a gloomy, but an interesting, picture Mr. Caine gives of the great poet, dealing not so much with his genius as with his remorse over his wife's death, his losing fight with the drug habit, and his final release from its thraldom and comparatively happy death. The book is sown throughout with amusing anecdotes; and, from time to time, one comes upon some real bit of criticism by Rossetti which is worth preserving, as when he said to Mr. Caine: "You have too great a habit of speaking of a special octave, sestette or line. Conception, my boy, *Fundamental Brain Work,* that is what makes the difference in all art. Work your metal as much as you like, but first take care that it is gold and worth working. A Shakespearian sonnet is better than the most perfect in form, because Shakespeare wrote it." And again, comparing literary methods, he said:

"I am the reverse of Swinburne. For his method of production, inspiration is indeed the word. With me the case is different. I lie on the couch, the racked and tortured medium, never permitted an instant's relief until the thing in hand is finished." He points out, as the most characteristic utterance of Keats, the remark he made in a letter to Haydon: "I value more the privilege of seeing great things in loneliness than the fame of a prophet."

There is a most amusing anecdote of a visit from the ingenuous Mr. Longfellow who, unable to believe that Rossetti the painter and Rossetti the poet were one and the same man, said on leaving the house after paying a prolonged call: "I have been very glad to meet you, Mr. Rossetti, and I should like to have met your brother also. Pray tell him how much I admire his beautiful poem, 'The Blessed Damozel.'" This reminds one of the current anecdote, never perhaps put in print, of Mr. Longfellow's pre-

* "My Story." By Hall Caine. D. Appleton & Co., 1909.

sentation at the Court of St. James's, and the frank, American, democratic feeling with which he shook the extended hand of the Sovereign Lady while he said, genially, "How do you do, Ma'am?"

The pictures of the Isle of Man at the beginning and the end of the volume are full of feeling and charm; and it is perhaps not Mr. Caine's own fault if, born and bred in such an atmosphere, he sees character melodramatically and is inclined to think the vital thing about Rossetti is that he took chloral and had delusions, and about Wilkie Collins that he drank laudanum. "My Story" is nowise an important book, but it is a readable and amusing book of very light literary gossip.

The industrious Mr. Lang is always at his happiest when he is holding a brief for some one; and, in the case of Jeanne d'Arc,* he has M. Anatole France's recent work on the same subject to refute. M. France, despite his gentleness, is always inclined to strip life of any supernatural mystery, glamour or dignity, in his desire to reduce all things to an ironic smile at life as it is. Mr. Lang is much nearer the heart of truth in his feeling that great deeds are not the outcome of mean and futile people.

The story of the wonderful maid, one of the truest mystics who have ever lived, and at last, quite recently beatified by the Catholic Church, of which she was so noble and loyal a daughter, is told with sympathy and partisan feeling by Mr. Lang. The author seems to have consulted the archives diligently; and yet there is little that is new in the book and not to be found in that of Mrs. Oliphant published in 1896 and in Mr. F. C. Lowell's Life. The two little miniatures of Jeanne are interesting, and the map of the Battle of Rouen might better have been borrowed from Mrs. Oliphant's book, where it is both fuller and clearer, than from Mr. Lowell's. Otherwise the book is as entertaining, as swift-moving and vivid as Mr. Lang's work always is.

Mrs. Hale, in her delightful and enthralling story,† has weighed the comparative merits of a husband and a career. What

* "The Maid of France." By Andrew Lang. Longmans, Green & Co., 1908.

† "The Actress." By Louise Closser Hale. New York: Harper & Brothers, 1909.

reader could fail to rejoice that the husband wins? He is a thoroughly delightful and competent creature of the type that "at thirty-five has a few lines about the mouth that come from set jaws during business hours, shrewd eyes that can be kind and terrible, square shoulders that were put to the plough when a youngster, and the well-ordered, limited speech of a man who has learned the use of his tongue in a country college and the control of it in a city office." In such swift and definite lines we are presented to Aaron Adams; and, later, we find him a man with strength for two, a great yearning to take care of something, and a fixed idea that the actress is the person he is destined to take care of. The actress herself, however, who does character parts in light comedy with great success, is obsessed by the idea of the glory of a career, and by the haughty notion that she is quite able to take care of herself. Her theory is renounced only after large and rather nauseous doses of life's discipline have been administered. The insight given into stage life, the *camaraderie* of the player folk, the English country gentry, with their charms and their limitations, keeps the book alive with interest; and the sad little story of Mrs. Erskine-Waite, and the love-affairs of Hester and Frederika—"that big flopping girl!"—lend romance and humor. As well as an interesting and gay story, we have here, too, quite evidently, the sincere personal confession of one woman that, when all is said and done, love is really a more potent factor in happiness than gratified ambition and a career.

Once more Mr. William J. Locke has given us one of his slight, but very engrossing, tales.* As a novelist, he belongs to that increasing number who are skilful in telling a well-knit, slightly structured story in small compass. His characters are not very intimately related to real life, but he has a very special flair for such men as are touched by an angel's feather and take an angel's view of mortal frailties.

The character of Septimus is quaintly conceived; and, if it is not very human, it is all the more lovable for being so slightly tarred with reality. The tale is fluently and delightfully told; the literary man from London appears just often enough to voice the commentary, somewhat after the manner of a Greek chorus, and even the vulgar advertiser wins our sympathies by

* "Septimus." By William J. Locke. John Lane Company, 1909.

disclosing a heart of gold beneath his enthusiasm for a quack skin-cure. As for Septimus himself, he cannot help but hold the hearts of all his readers.

Miss Sedgwick's tale* is interesting in conception and exquisitely carried out, even from the standpoint of those for whom "the play's the thing." The web of complication about the worldly woman, the selfish husband, the young novelist and the inexperienced, deep-hearted country girl who sins and gladly pays a penalty of twenty years of isolation and deprivation is well woven and holds the interest to the last. The character-drawing is subtle and skilful, the style and diction refined, and the point of view truthful and noble. If we were to find any fault at all, it would be that Miss Sedgwick, like so many of the authors of the day, makes too great concessions to the fashion for a slight structure. In this book the theme is profound enough to have made a great book, but no really great novel can be so condensed that we can run it through between lunch and tea. We shall never know and love the characters in these slim novels, as we did those of the great Victorian period. They were the friends of a lifetime; but these people, bowing themselves in and out of our acquaintance in an afternoon, are but chance callers, people infected by the press and rush of modern life who seem to run in and say, hurriedly: "Yes, this is my problem which I state to you as quickly as possible; life is full of difficulties and open questions and odd solutions; mine is just one of many. I hope I have not kept you too long; I have hurried as much as I could, and really there is no time for anything in life, anyhow. Good-by!" Of Miss Sedgwick's novel we can heartily say that we would have thought more highly of it if it had had an extra hundred and fifty pages.

* "Amabel Channice." By Anne Douglas Sedgwick. Houghton, Mifflin Co., 1908.

WORLD-POLITICS.

LONDON: BERLIN: WASHINGTON.

LONDON, *April, 1909.*

NOT for a generation in time of peace have Parliament and the country been so profoundly moved as during the past few weeks. Ever since the debates on the Navy Estimates England, always an emotional country, has given herself up to a mood little short of panic and hysteria. We are used to periodic scares about the Navy, and, on the whole, it is well that from time to time we should indulge in them. They show, for one thing, that the people have thoroughly grasped the terms on which they maintain an independent national existence; and for another, since the propulsion towards reform always in England proceeds from below and is not, as in Germany, for instance, generated and imposed from above, they are a healthy token that the Government of the day will be kept up to the mark and will not, if the country can prevent it, be suffered to swerve from or to ignore its prime duty of preserving the supremacy of British sea power intact. But by the side of the present one, all previous scares seem meagre and half-hearted. That it is marred by much exaggeration and partisanship is, of course, inevitable. But that at the bottom of it there is a solid, rational and legitimate basis of apprehension cannot, I think, be disputed. Great Britain has sharply awakened to the fact that the days of her old easy ascendency at sea are well-nigh over; and that while her commitments remain world-wide and her interests are infinitely scattered, she is about to be challenged, for the first time in two hundred years, and in her own home waters, by a Power perhaps not so wealthy as herself, perhaps not so thoroughly imbued with the maritime spirit, but more patient, far more efficient and equally energetic and resolute.

That is a situation calculated, and not unnaturally, to rasp on English nerves. The last six months have pretty conclusively shown that in the Europe of to-day, in spite of Peace Conferences, a growing sense of international solidarity and the increasing sensitiveness of mankind, might is still right. Men feel that international good faith, public law, the sanctity of obligations are at the mercy of brute strength, that we are moving towards an age of unsheathed ambitions, and that the chances of survival favor those Powers, and those only, that are most vigilant and most effectively armed. In Great Britain, at any rate, there is an uneasy consciousness that the conditions of the coming time are likely to prove peculiarly agreeable to the character and temperament of Germany. The German Empire was not created by pacificators or by men who prated of international brotherhood. It was the product of war, spoliation and a diplomacy anything but remarkable for its squeamishness. Are those processes, Englishmen ask themselves, at an end? Has Germany reached the full limit of her expansion? Is it inconceivable that Austria, Belgium or Holland may eventually share the fate of Silesia and Alsace-Lorraine? Looking to Germany's past and to her present needs, strength and ambitions, remembering that she first ingeniously isolated and then struck down Denmark, Austria and France in succession, and bearing in mind that she is still very largely an imprisoned Empire and under a constant temptation to burst her bonds, would anybody care to hazard the prophecy that the era of German growth is definitely closed? It is entirely natural that Great Britain should watch with a certain nervousness the future course of a Power that has shown such masterfulness in war and policy. In the past eight-and-thirty years, although she has kept the peace, Germany has done little to dissipate that nervousness. She is still the centre of disturbance and suspicion on the Continent of Europe. Her diplomacy is universally distrusted. We have seen her within the last few years relentlessly browbeating France. We have seen her within the last few weeks forcing Russia under a direct or implied threat of war to submit to a peculiarly poignant humiliation. It is an axiom of European history that whenever any single nation reaches an undue height of predominance and control, the other nations combine by instinct against her. No one can positively say that Germany will do nothing to arouse that instinct, or that, like

Spain and France before her, she will not aspire to a political and military ascendency that her neighbors will some day be at one in regarding as intolerable. The prospect is admittedly a remote one; the Pan-German dream may remain forever unrealized; and to imagine Great Britain involved in a war for the protection of Belgium or Holland against German aggression is to take a long look ahead. But the contingency, though distant, is not impossible. It has to be reckoned with.

If therefore force, nakedly and vigorously applied, is to be the controlling factor of the coming time, Great Britain realizes that Germany is peculiarly well situated for making the most of her opportunities. She realizes, also, that if Great Britain is to continue to play her part in history she must be prepared to meet force with force. It is on her fleet alone that Great Britain depends for her security and for her usefulness to her friends and allies. Anything that threatens her maritime ascendency touches her at an absolutely vital spot and instantly challenges her very existence as an independent nation. To Germany, for instance, sea power is no more than a useful walking-stick; to us in England it is a crutch without which we fall. If, therefore, Great Britain and Germany are to be pitted against one another in a tense naval competition, it follows that the two Powers are not playing for equal stakes. A victory for Great Britain would mean no more than that she would continue to hold what she is holding now. A victory for Germany, on the other hand, would mean the blotting out of England from the map of Europe, her conversion into a German province, and the acquisition by Germany of vast portions of her Empire. Nobody in Great Britain disputes Germany's moral right to accumulate as large a naval force as she pleases. It is recognized that she is as fully entitled to have a big fleet as we are to have a bigger one. But she cannot expect us to welcome the entrance into the arena of a new, virile and supremely capable rival, operating almost within sight of our shores, and forcing upon us the necessity of guarding against a new possibility of peril. The menace of the German Navy, in British eyes, is not that it will be as powerful as our own, but that a turn of the diplomatic wheel may leave the balance of European sea power in German hands.

But, besides all this, the British people, or most of them, at any rate, are persuaded that what they possess—colonies, naval

supremacy, a world-wide carrying trade—is precisely what Germany is ambitious to obtain. They do not quarrel with Germany's ambition, but they are determined that it shall not be realized at their expense. Then, again, it has become impossible for them to ignore the fact that during the past fifteen years, beginning with the coalition against Japan and going on to the Krüger telegram, the attitude of the German nation throughout the Boer war, the Chinese crisis, the attack upon the Anglo-French *entente,* and many more recent incidents, German policy and sentiment have been pronouncedly anti-British. That may, of course, be a mistaken inference, but very few Englishmen believe it is. They are penetrated with the conviction that Germany is always on the watch to do them an ill turn. And in addition to these grounds of apprehension, the British people are always obsessed by a consciousness of their military deficiencies. They do not actually anticipate a German invasion, but they are unable to convince themselves that the Germans are morally incapable of such an adventure, and they observe that if the German navy had been deliberately fashioned for that end, it would not greatly differ in type and forms of construction and design from what it is. Moreover, the methods of the German Navy League and the arguments which it employs have not been lost upon this country. Something far more positive than a few mellifluous notes on Prince Bülow's pipe is needed to persuade Englishmen that the popular motive power behind the propaganda of the German Navy League is not largely derived from Anglophobia.

I have reviewed the general situation at this length in order to make clear in what respects it has been intensified by the revelations of the recent debates in the House of Commons. Those debates established, first, that Germany had accelerated her shipbuilding programme by laying down or collecting materials and constructing armaments for three or four—the Secretary of the Navy admitted he did not know which—"Dreadnoughts" in 1908 that belonged to the present year's programme; secondly, that Germany can build these leviathans as fast as we can, if not faster; thirdly, that she has created a capacity for constructing guns, gun-mountings, turrets and other essentials of the kind that equals, if it does not exceed, the resources of all the British firms and yards put together; and fourthly, assuming that Germany again accelerated her programme, she would have thirteen

"Dreadnoughts" to Great Britain's fourteen in August, 1911, and seventeen to Great Britain's twenty in April, 1912. These figures, I should add, are disputed, and the dispute has led to endless confusion. What I have set down is the Government's calculation, and it is based on the assumption that Germany in April, 1912, will possess four more "Dreadnoughts" than those provided for in the German Navy Bill. The Opposition in the House of Commons maintain that this is an under-estimate; that Germany, having in 1908 forestalled four ships, may repeat the performance in 1909; and that in April, 1912, she may have in commission not seventeen "Dreadnoughts," but twenty-one—that is, one more than Great Britain. The German Government, however, declares that both estimates are mistaken, that though three or four ships have been taken in hand earlier than was anticipated they will not be finished any the sooner, and that there is no further intention of anticipating the Estimates.

In any case the margin of British superiority in "Dreadnoughts" will be a small one, a smaller one, the country thinks, than it should be; and there has been an infinity of talk about "danger periods" in this year and in that. But as a matter of fact, up to 1912, and for three or four years beyond it, Great Britain has nothing to fear from a single-handed conflict with the German navy. The mistake of the alarmists lies in assuming that "Dreadnoughts," and "Dreadnoughts" alone, count. In the future that assumption will doubtless hold good, but for the present it is unwarrantable. The main strength of the British navy now and for several years to come must lie in the pre-"Dreadnought" ships, and in these Great Britain is incontestably supreme. In April, 1912, which the scaremongers have fixed upon as a vitally critical moment, Great Britain will have forty first-class battleships, all under twenty years of age—a force more than double that of Germany's and superior, indeed, to that of any two nations in the world. The real trouble is, of course, that these ships will gradually become obsolete and will be supplanted by "Dreadnoughts" of an improved type; that the invention of the "Dreadnought" placed all Powers more or less on an equality in building them; and that Great Britain in consequence will find it difficult, if not impossible, to maintain the same relative superiority in the new type of ship that she had achieved in the old. Great Britain's new position is that within a few hours' steaming

of her shores, the greatest military Power in the world has mapped out a ship-building programme which will result in a Navy more formidable than any that now exists; that Great Britain will practically have to rebuild her entire fleet to hold her own with this new competitor; and that her margin of superiority over Germany in "Dreadnoughts"—a meagre one, in any case, for a Power whose very existence depends on an unassailable supremacy at sea—may in certain contingencies be wiped out altogether.

The realization of all this deeply moved the country, as it well might; and its apprehensions were greatly increased by the way in which the Government met the crisis. Mr. Asquith's first step was to call the chief British engineers, armament manufacturers and ship-builders into conference, and to encourage them to enlarge their plants, so that British superiority in construction, temporarily lost, might be swiftly regained. Nobody quarrels with this. Everybody, on the contrary, applauds it as a necessary countermove. In the matter of the Navy Estimates, however, as well as with the form in which they were presented to Parliament, there has been the gravest dissatisfaction—a dissatisfaction which still exists and which is gathering an overwhelming momentum. The Government proposed to lay down two "Dreadnoughts" in July and two more in November. They also announced that it might be necessary to prepare for the rapid construction of four more ships to be begun in the following financial year, and to be completed by March, 1912. To do this effectively they asked Parliament for such powers as would enable them to arrange in the current year for the ordering, collection and supply of materials for guns, gun-mountings, armor, machinery and so on. There were thus to be four ships for certain and four other ships whose construction was contingent—contingent, as Mr. Asquith explained, upon whether Germany continued to accelerate her programme. The Opposition at once demanded a pledge that the four contingent ships would be built. Mr. Asquith refused to commit himself, and the result was the moving of a vote of censure. But there can be little question that the four extra ships will be built. The tide of national feeling is running too strong for any Government to resist it, and the splendid rally of the colonies to the side of the Mother Country has added fuel to the determination to force the Ministry to yield.

BERLIN, *April, 1909.*

THE visit of the King and Queen of England to Berlin at the beginning of February was generally welcomed by the public both in England and in Germany. Their Majesties were received with unbounded cordiality by the Emperor William and the German Empress, and by every section of the German people. The King in particular endeared himself to the popular imagination by breaking with secular traditions, and accepting an invitation to be the guest of the Berlin Municipality at the Town Hall. The absence of historic complications, and the manifestation of a friendlier feeling between the two nations, assured the success of the Royal visit. But the very absence, in the case of Great Britain and Germany, of such long-standing differences as in past years embittered British relations with France and Russia, could not but serve as a warning against the formation of extravagant hopes. No immediate and tangible result was expected, and recent events have completely justified this reserve. For a time, it is true, there seemed to be reason to believe that the essential character of British policy, based, as it is, not on domination, but on the balance of power, was receiving tardy but welcome recognition in Berlin. The conclusion of a Franco-German Agreement with regard to Morocco was hailed as a sign that this process of recognition had set in. After five years of pin-pricks and international alarms Germany explicitly acknowledged the legitimacy of French political interests in Morocco, and disclaimed for herself all but commercial interests of the most harmless kind. But quite apart from the "audacious inconsistency" of this *volte face,* the suddenness with which it was accomplished was calculated to excite the suspicion that, after all, German motives were not so transparent as they at first sight appeared. Their true character was to be gradually revealed.

When, last October, Austria-Hungary, with total disregard of treaty obligations and the public law of Europe, laid hands upon Bosnia and Herzegovina, opinion in Germany, in the official as well as in the unofficial world, made show of a certain embarrassment. Germany, said Prince von Bülow, will support her ally as far as possible. Further the Imperial Chancellor would not commit himself. This attitude of mind, however, may have been professed merely as a pretext. The later development of the situation, and, in particular, the more recent phases of German

policy, are now becoming more accurately known. Roused by the exertions of Great Britain, France and Russia to settle the Austro-Servian conflict in the best interests of peace and equity, and conscious of the freedom of action which German policy had won as a result of the Morocco Agreement with France, the German Government emerged from its lukewarm attitude towards Austria, and declared its intention of supporting the latter's pretensions to the utmost. "*Tua res agitur,*" said the Government to the nation. The cry was quickly taken up by the press, and was accepted throughout the country as accurately describing the situation. If, said Prince von Bülow in the Reichstag on March 29th, Germany had failed to take the side of her ally, she would very soon have been faced by the same constellation of Powers as had tried to make Austria give way. An interesting prognostication! But, as so often before, the German Imperial Chancellor was proceeding upon an altogether false assumption. The Anglo-Franco-Russian Triple *Entente,* no more than the *Entente Cordiale* between Great Britain and France, of which it is the natural complement, was not designed against the German Empire. Far from being intended for any purpose hostile to Germany or German interests, it was hoped that it might serve to point the way in which relations of friendship between Germany and her Western neighbors might effectively be restored. Neglecting the signs of the times, the German Government preferred to choose a course which promised to lead to some tangible success.

In 1905, when the Morocco crisis was acute, Germany "rattled with the sabre," France trembled and M. Delcassé, the French Foreign Minister, and one of the authors of the Anglo-French *Entente,* was thrown to the wolves. Taught by experience, the French Government and people have since made ample amends for the costly hesitation of a moment. Ever since the Triple *Entente,* on the part of Great Britain, France and Russia, has become a recognized factor in practical politics, the German Government has been on the lookout for an opportunity of breaking up an understanding which it regarded as an obstacle athwart the path of German ambitions. Only a few days ago, the German Ambassador in St. Petersburg was instructed to intimate to the Russian Government that, unless Russia was prepared to abandon her attitude on the Servian question, she would have to face the consequences of opposing the policy of Germany, which was

acting in close sympathy with the other great Teutonic Power, Austria-Hungary. Veiled as it was, the menace was unmistakable. Deprived by M. Stolypin's illness of the counsels of the Prime Minister, the Russian Government considered that it had no alternative but to bow to the dictates of superior force. Germany had thrown the sword into the scales, and the sword had won. At least so it seemed to the German Government, and so, it may be added, it seems to the Russian public. The mere fact that an odious campaign against the Russian Foreign Minister, M. Isvolsky, was immediately started in the German press showed that the game had not yet been either lost or won, and if public opinion in Russia can realize in time the object of these German manœuvres the triumph which Prince von Bülow had promised himself as a set-off against his failures in the sphere of home politics will be shorn of more than half its glory.

In some quarters, it has been ingenuously suggested that the effect of recent manifestations of German policy has been to "restore" the balance of power in Europe. That is precisely the belief which Prince von Bülow himself would like to engender. But no one except the most amiable optimist will be found to assert that the maintenance of the balance of power has ever been an object of German policy. What has actually happened in Europe as the result of the German action in St. Petersburg is that the Austro-German alliance stands out in sharp relief as an aggressive combination prepared to vindicate its pretensions by brute force. Those who in season and out of season were wise enough to predict that Germany was the one Power of which readiness to appeal to arms at any moment might safely be premised are now justified in their belief. Whether Austria or Germany, or both, are on the eve of preparing an offensive and defensive alliance with Turkey remains to be seen. In presence of the danger, the Powers of the Triple *Entente* will know what to do.

In the case of an opportunist politician like the Imperial Chancellor, however, a supposition of this kind does not necessarily follow. German relations with England, for example, are being allowed to deteriorate to a point and at a rate which can only spell ultimate disaster to peace and to every interest which its maintenance promotes. This process is euphemistically described as the fulfilment by the German Empire of its destiny and high calling. So be it! But those who of old never wearied of insisting upon the

essentially pacific tendencies and aspirations of the German people will now be compelled to admit that the German Government, with the support of the German nation, is at all times ready to back up its diplomatic arguments by force of arms. Not content with possessing the most powerful army in the world, Germany is now resolutely bent upon disputing with Great Britain the command of the sea. Smooth words will not turn her from her purpose, as the present British Government has already repeatedly learned to its cost. If the British public, for its part, has not yet learned to draw the moral from the trickery and double-dealing of the German Government, its blood will be upon its own head. Time and again, the warning has been uttered that, if once the German navy is allowed in any degree to approximate in strength to that of the British fleet, the thumb-screws will be applied, and the process of "diplomatic pressure" will be repeated until the object of Germany's policy, the humiliation of her rival, has been achieved. There are predictions which it is no satisfaction to see fulfilled. What happened to Russia yesterday might, if warnings are neglected, happen to England tomorrow. Peace, in the German sense, will have been preserved, but the glory, as far as England is concerned, will have departed.

For years this possibility has been consciously kept in view and the hope of it cherished by the German Government, and by every means, fair and other, they have sought to make this the common aspiration of the German people throughout the world. Thanks to the unscrupulous agitation of the Navy League, and the no less forcibly eloquent arguments furnished by the consciousness of an unparalleled industrial efficiency, they have succeeded in making the supremacy of the German navy the dream of a nation. The repeated failure of modern German statesmen to achieve success in the sphere of foreign policy, in contrast with the positive accomplishments of British policy, has been glibly ascribed to the weakness of the German navy. The German Empire, it has been lamented, cannot and will not occupy the place which its power and resources have marked out for it in the world until the horn of Great Britain has been broken. To this end the creation of a strong navy is the only way. And so the German people is bending its back to the task with a will. The naval estimates are enthusiastically voted without debate, while the question of whence the money is to come remains un-

solved. The answer, it may be, is being left to the chances of war. If that be the calculation, it is the duty of the British people and the British Empire to foredoom it to signal disappointment. The object of German naval preparations cannot be mistaken, and indeed is disputed in no quarter. The public in England has too long allowed itself to be bamboozled by German protestations and declarations. For all practical purposes they are as worthless as the paper upon which the Berlin Treaty was written, and as transient as the air which received them. But, to do the Germans justice, heavier blame attaches to those in England and elsewhere who invested fair speeches with a significance which they were not necessarily and in all circumstances bound to possess. These generous but foolish misconceptions once excited, it was not the German duty to dispel them, but to take advantage of them to the full. And this the German Government has unfalteringly done. The work of naval construction has been secretly accelerated, and every effort has been exerted in order to lull British suspicions to a rest which might prove fatal. The days of indefeasible optimism and of complacent confidence are over, and the British people as a nation must take to heart the lesson of the German menace to the peace of Europe, that only the strong man armed can keep his goods in safety.

WASHINGTON, *April, 1909.*

ON April 12th Senator Aldrich, as Chairman of the Senate Committee on Finance, reported the tariff bill to the Senate, with the amendments thus far made by the Committee. The bill, as reported, was that which was passed by the House of Representatives on the preceding Friday. No authoritative statement has yet been submitted to the Senate showing the amount of revenue which the Finance Committee's bill might be expected to produce, though a number of guesses have been ventured. The Republican members of the Senate Finance Committee say that there are a great many more reductions of duties in the Senate bill than in the House bill, and that the measure, as finally reported to the Senate, will produce sufficient revenue for the needs of an economically conducted government if it be enacted into law in the shape submitted. In the statement made by Senator Aldrich on April 12th, when he reported the measure, he said that the rates, as revised by the Senate Committee, are lower than those in the

bill which passed the House, the actual number of reductions being about three times the number of increases. He added that a considerable number of articles in common use have been taken from the dutiable list of the House bill and restored to the free list. The great mass of the rates reported by the Senate Finance Committee are, according to Mr. Aldrich, below those of the existing law. We note, however, that the Senate Committee restored iron ore to the dutiable list at twenty-five cents per ton—a reduction of fifteen cents per ton from the Dingley rate. The House had made large reductions throughout the iron and steel schedule, nearly all of which have been retained by the Senate Committee. In addition to those made by the House, the Senate Committee has made quite a large number of other curtailments. In schedule D, which deals with wood and the manufactures thereof, the Senate has taken the House rate of one dollar a thousand, on rough lumber, a reduction of one dollar from the Dingley law, and has retained the House rates on manufactures of woods, nearly all showing reduction from the Dingley rates. The most important change in this schedule made by the Senate Committee was the restoration of important hard woods to the free list.

The tobacco schedule of the House bill was not changed by the Senate, except that the Senate Committee struck out the provision that filler tobacco from countries which prohibit the importation of tobacco from the United States should be assessed at seventy-five cents a pound if the filler be unstemmed, and at one dollar a pound if stemmed. The House rates on cattle, swine, horses, mules and sheep are retained, but the duty of twenty per cent. in the House bill, on all other live animals not specially provided for, increased to twenty-five per cent. *ad valorem*. On maize the House rate is increased from fifteen to twenty cents per bushel; on oats, from fifteen to twenty cents; on rye, from ten to twenty cents; on wheat from twenty-five to thirty cents. The House provided that beets, including sugar beets, should be assessed at twenty-five per cent. *ad valorem,* which is the present rate. The Senate Committee retained this rate on all beets except sugar beets, the rate on which was reduced to ten per cent. *ad valorem*. The rate on pineapples has decreased from eight dollars, the House bill duty, to seven dollars per thousand. The rates on chicory root are reduced from two and one-half cents to one cent, and from five cents to two and one-half cents per pound. On the other

hand, the House rate on cabbages has increased from two cents to three cents each, and on hops from ten cents to fifteen cents a pound. Then, again, bacon and hams are assessed at five cents instead of four cents, the House bill rate; fresh meat at two cents instead of one and one-half cents, and lard at two cents instead of one and one-half cents. Chocolate and cocoa, prepared or manufactured, not otherwise specially provided for, are assessed at rates ranging from two and one-half cents per pound to five cents, according to value. In the Payne bill such chocolate (not cocoa) was assessed at rates from five to nine cents per pound. Crude cocoa and leaves and shells of cocoa were assessed at three cents per pound in the House bill. The Senate transfers the last-named articles to the free list. Cocoa butter, including all substitutes for it, is made dutiable at three and one-half cents per pound, instead of the five-cent rate in the Payne bill. Dandelion root, and other articles used as substitutes for coffee, not specially provided for, are made dutiable at two and one-half cents per pound in place of four cents provided in the House bill. Tea and coffee, which were made free by the House bill, are retained on the free list by the Senate.

In the spirits schedule there are a number of changes from the House rates. For instance, there is an increase of from $2.25 to $2.60 a gallon on brandy and other spirits not specially provided for; on cordials there is an increase from $2.25 to $2.65 a gallon. We observe, also, that imitations of brandies, spirits or wines, imported under any name whatever, are subjected by the Senate to the highest rates of duty provided for the genuine articles, and the minimum rate is increased from $1.50 to $1.75 a gallon. The duty on bay rum or bay water is increased by the Senate from $1.50 to $1.75 a gallon.

Champagnes and all other sparkling wines in bottles of more than a pint and not more than a quart are assessed by the Senate Finance Committee at $9.60 instead of $8 a dozen. Corresponding changes of rate are imposed on larger or smaller bottles. Vermouth is to be dutiable at the same rate as that prescribed for cordials, instead of at the rate provided for still wines in the House bill. Still wines are made dutiable in the Senate bill at higher rates than those which had been adopted by the House, the Senate rates being based on the percentage of alcohol or character of the receptable.

It will interest women to know that the Senate Finance Committee has made reductions averaging fifteen per cent. in the specific duties imposed by the House bill on hats and bonnets, which in some instances have been raised above the Dingley rates. The Senate Committee has also struck out the House paragraph in regard to gloves, and has restored the rates in the existing law. It has also reduced the House rates on hosiery, preferring the retention of the present rates.

In the schedule dealing with works of art, the House of Representatives provided that paintings and sculptures more than twenty years old should be admitted free. This provision the Senate has amended so as to provide that works of art generally more than twenty years old, and artistic antiquities more than one hundred years old, should be admitted free.

The Senators added to the free list mustard seed, articles in the crude state used in dyeing or tanning; ashes, wood and lye, and beet-root ashes; carbonate or witherite of baryta; copperas or sulphate of iron; raw silk reeled from the cocoon or re-reeled, but not wound, doubled, twisted or advanced in manufacture in any way; spices; cassia, cassia vera and cassia buds; nutmegs, cloves, cinnamon and ginger root unground and not preserved or candied; various kinds of woods suitable for walking-sticks, umbrellas, etc.

There is not a doubt that the people, as a whole (outside of the manufacturers), want revision downward, and if they cannot get it at the hands of the Republican party will be constrained to turn to the Democratic organization. The American people fully recognize, at the same time, the necessity of securing a revenue sufficient to meet the annual needs of the Government. It does not follow that they concur with President Taft's wish to see a large Federal tax imposed on inheritances. Inheritances have hitherto been looked upon as constituting one of the principal fiscal resources of the constituent States. It would not be easy, therefore, to persuade the Senate to sanction Federal interference with this source of revenue. The enactment of an income tax seems more probable, and there are rumors current in Washington that the United States Supreme Court might not now show itself so hostile to that form of fiscal legislation as it did under the second Cleveland administration when by a majority of one it pronounced an income tax unconstitutional.

THE EDITOR'S DIARY.

The Abuse of the Psychological Moment.

NEWSPAPERS and magazines are doubtless but the writing of history as it happens, and they have their own value as reflecting the views, the emotions, the outlook, of the moment; but the journalist who fancies that his whole responsibility begins and ends with this statement has much to learn. There are two sides even to the moment's emotion; there is always the true aspect and the false, the lasting aspect and the fleeting. To catch the public interest at the very moment of an event is something; but surely such papers as consider timeliness before content are sacrificing the larger as well as the better half of their *clientèle*. Nothing so adds to the worth, the real value, of the papers of to-day as a distinct stand against sensationalism, against tickling the palate of the masses. It is true that the death of a great man should be chronicled at the moment of the happening, and some sort of statement made of the esteem in which he is held; but it is also true that the really critical estimates of a man's work and genius should not be done ten years before his death and stowed away in a drawer, but that it should be carefully and slowly done after his death, when all the data are to hand; and surely such critical article ought to be just as valuable six or ten months or a year after a man has passed from us as one month later. A young writer, who had had the inestimable advantage of knowing intimately the great St.-Gaudens, of being advised and encouraged and helped by his friendship, example and counsel, and who had a long series of the great artist's personal letters, recently lamented being unable to set these reminiscences into shape at once, saying: "Four months from now, when I can turn my hand to it, all the papers will say that the interest in St.-Gaudens has passed for the mo-

ment and they can hardly find room," etc., etc. But by this method the whole object of newspapers and current magazines, that they shall record history in the making, is thwarted, and they become no better than unreliable gossips. After all, the public is not so much interested in the happening of the moment as it is interested in what is well and vitally set forth. The permanent interest in Shakespeare's plays grows out of the fact of his deep insight into human nature; he knew not only what was interesting at the moment and what was expected by his audience, but he also knew what lay beneath—the undying interest in men for man, for true characterization, for facts of temperament and the natural clash and interplay of temperaments under given situations. When the whole truth is told, it is the permanent, the vital and the real that the people care about, and once a journalist learns this he can chronicle events of a century or of ten years back with as much verve and abandon as last night's tragedy, and it will be just as interesting; the more he is able, too, to connect last night's tragedy with the events of a century past, the more will people be eager to read his work.

There is a great abuse made of the psychological moment, and it is just as well to know that it is the truth of the moment which is interesting and that every moment and every event has its permanent and valuable sides, and who seizes these is the successful journalist.

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THE ACHILLES HEEL OF GERMANY

BY ARCHIBALD R. COLQUHOUN.

A POLITICAL prophecy in epigrammatic form which is frequently quoted in Europe declares that the twentieth century "belongs to the Germans." At the present time, when German diplomacy is so obviously and dramatically triumphant, most people would give an unquestioning assent to this proposition. The extraordinary progress of the German nation in the comparatively short period since its unification, the success of its diplomacy and the preponderance of its influence, backed by an enormous army and a growing navy, in the councils of Europe seem to point to an uninterrupted period of Teutonic success—a triumphal march leading on to the hegemony of Europe. This predominance has been achieved under the leadership of Prussia—Prussian policy, Prussian ideas have dominated the Fatherland—and modern Germany is, in fact, the creation of Frederick the Great. Bismarck, who is often credited with being the originator, was, in fact, really the reviver or interpreter of the State policy of Frederick. The principles which his master laid down the Iron Chancellor improved on. Take, for instance, these maxims from Frederick's great work (written in French) on "The Principles of Prussian Government":

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"Constant attention must be paid to hiding as far as possible one's plans and ambitions. Secrecy is an indispensable virtue in politics as well as in the art of war.

"If possible, the Powers of Europe should be made envious and be set against one another, in order to give occasion for a *coup* when opportunity offers.

"It is one of the first political principles to endeavor to become an ally of that one of one's neighbors who may become most dangerous to one's State. For that reason we have an alliance with Russia, and thus we have our back free as long as it lasts."

The determining factor in Prussian foreign policy was, of course, the geographical position of the kingdom. Having its origin in the military settlements of the Teutonic knights on the shores of the Baltic, right in the centre of the Slav population, which extended westward as far as the Elbe in the neighborhood of Hamburg, Prussia was military from its birth, and, as Frederick said, it had to be "*toujours en vedette.*"

The eighteenth century found Prussia hemmed in on one side by the Slav kingdom of Poland. Frederick induced Maria Theresa (in 1772) to join Prussia and Russia in despoiling that kingdom, and accordingly each of the great Powers took a slice of territory contiguous with its own. Twenty years later, in 1793, Russia and Prussia rounded off their territory with further acquisitions, leaving the kingdom a mere slip in the centre with nominal independence; but even this was forfeited in 1795, when Austria joined in the final partition. The kingdom of Poland disappeared and the king retired with a pension to St. Petersburg. The opposition of the Poles was by no means as strenuous as might have been expected from their past and their subsequent history; indeed, a faint pretence was made of consulting their wishes as to their annexation to neighboring states. In order to understand this apparent indifference we must recollect that the annexing Powers represented governments rather than nations, and that the Poles were, for the most part, dissatisfied with their own government. No idea of their denationalization was presented, and indeed under the crowns of all three annexing Powers they might have expected to find liberty and autonomy.

The greater part of the Polish nation found itself attached to Russia, and as the eighteenth century drew to a close the rise of Napoleon raised a fresh vista for the Poles. They saw, once more, the possibility of uniting their severed sections and regain-

ing their lost provinces. Poland, before the first partition, had spread from the Baltic nearly to the Black Sea and from the Dnieper, on the East, to close on the Oder, on the West. French sympathy had been poured out for the Slavs in that burst of sentiment which followed the writings of Rousseau; and Napoleon, meaning to utilize the Poles against Austria and Russia, played upon their ambitions. The Poles schemed and plotted and hoped and fought brilliantly, and when their betrayal was at last plain they found they had squandered almost everything in this forlorn hope. Even in Napoleon's last campaign against Russia, after it had become apparent that Polish dreams of a revival of their ancient kingdom were illusory, the Poles fought desperately for him, and of the large number who went out it is estimated that not more than a few thousands returned. The Napoleonic creation of a semi-independent Poland took the shape of the so-called Duchy of Warsaw, which was carved out of Austrian and Prussian Poland. With his downfall the greater part of this Duchy was attached to Russia, under the title of the "Kingdom of Poland," with a separate government. Posen, however, was returned to Prussia, Frederick William III promising its citizens every consideration and liberty if they acquiesced quietly in their incorporation within his kingdom. Russia and Prussia now found themselves with that long coterminous frontier of which we shall speak later—not the frontier designed by Frederick the Great, but the one consequent on the redistribution after the Napoleonic wars. Polish independence survived, however, right into the middle of the nineteenth century, in the small neutralized free republic of Cracow. That ancient city, the centre of Polish tradition, became the rallying-point of Polish nationality, and from the first the great Powers were determined to crush it. As early as 1835 it was determined that Cracow should be incorporated in Austrian Poland, and in 1846 a rising in Galicia gave the desired opportunity and the republic was occupied and annexed.

Meanwhile the "Kingdom of Poland," under Russian rule, had also become dangerous. Had the more reasonable policy of later years prevailed at first, this "congressional kingdom" might have been the groundwork for Polish liberties. As it was, the Poles never abandoned the wild hopes raised in their Napoleonic days. They would accept no national ideal short of complete independence and the recovery of their former pro-

portions. In 1831 there was a futile and disastrous rising which ruined the chances of the congressional kingdom. The year of revolution (1848) found the Poles in revolt in more than one part, following the example of the rest of Europe; but, after 1849, until 1862, the more moderate party was dominant. Their policy was one of compromise. Hitherto no specially repressive measures had been directed against the Poles, but repression, of which Metternich had so long been the protagonist, was specially directed against all the peoples who had become infected with liberalism and cherished ideas of national freedom. The policy of Russia at the middle of last century was by no means in favor of severe and repressive treatment; and, in 1862, Gortchakoff, as the head of the "Old Russia" party and opposing the German or "Young Russia" party, was anxious to try conciliation on the Poles. He sent a Polonophil, the Grand Duke Constantine, as Viceroy, and a Pole of strong patriotic views, the Marquis Vielopolski, as Minister of Education, Justice and Public Worship. Vielopolski did not belong to either the "White" (or Conservative) Polish party or to the "Reds" (who were revolutionaries), but was in reality ahead of his times, believing that Poland could only secure the liberty of her people by recognizing Russian supremacy and working for autonomy and freedom of national speech and religion. This moderate programme did not meet the views of either party, and the conciliatory efforts of the Grand Duke and Vielopolski were met with attempts at assassination. Finally, the "Reds" became so influential that in the following year (1863) a great revolution broke out—the most brilliant and heroic, the most desperate and the last, of Polish efforts to regain their lost freedom. Foredoomed to failure, the revolt was prolonged by the almost superhuman efforts of the Poles.

During the period 1859-62, while ambassador at St. Petersburg, Bismarck had been closely studying the Slav question, and especially the Polish side of it, and, imbued as he was with the older Prussian traditions, had certainly thrown in the weight of his influence against the conciliation policy of Gortchakoff. When that policy had proved so total a failure, and Russian Poland for a time held her conquerors at bay, Bismarck came to the assistance of Russia. He says plainly in his Memoirs that his policy was to prevent any settlement of the Russo-Polish question, which would necessarily embarrass Prussia in dealing with her own

Polish subjects; at the same time, he was prepared to incur, as he actually did, the reproaches of the whole of Western Europe, who were sympathetic to the Poles, to secure that alliance with Russia which Frederick laid down as essential to Prussian policy.

The result was disastrous to Polish aspirations, and, although the Prussian Poles were not to feel the hand of the Iron Chancellor as yet—occupied as he was with other problems—yet the beginning of the real persecutions of Polish nationality is found in the reprisals of Russia after the revolt of 1863. The language was forbidden in the higher schools; the Catholic religion—always a bone of contention between the Poles and their Orthodox conquerors—was subjected to disabilities; all government offices were closed to Poles; a bigoted Russian bureaucracy ruled the country with an iron hand. Fortunately for the Poles, this dark period was lightened by the good fortune which now befell that portion of their race which had come under Austrian rule. We have seen that Austria, after annexing Cracow, embarked on a policy of repression, and for some fourteen years the one idea was to sit on the safety-valve. But at length it became obvious to Francis Joseph that his throne could not rest any longer on this unstable foundation, and as a bold remedy he determined to adopt a constitution in place of his original autocratic form of government. The constitution of 1860 and 1862 aroused the hopes of the Poles of Galicia, but it was only after the defeat of Austria in 1866 that they were able to secure any real measure of liberty. They had suffered frightfully after the revolt of 1846, for Austria had called to her aid the Ruthenian peasantry of Galicia, who, hating their Polish landlords, were quite ready to join in a *jacquerie* and, being given a free hand, plundered and ravaged the estates of the Poles. The dislike existing between the landowning and peasant classes, between which the Jews act as intermediaries, is still a characteristic of Galicia. When Austria established a *Reichsrath*, in which all the subject peoples were to be represented, the Poles, being the educated and landowning class in Galicia, captured all the seats and, acting solidly together in Parliament, were able to sell their support to the Government (frequently hard put to it to get a working majority) for vital concessions in the way of autonomy. Consequently, the Austrian Poles are now freer than any others. They have their own Diet, a Polish Viceroy, police, government service and complete liberty

of language. The darkest period for the Russian Poles, therefore, synchronized with the dawn of hope in Austria, and the spark of nationality has not only been kept alive, but has kindled anew in the last forty years.

At Cracow the "Real" policy, which has been so successful in Austrian Poland, was initiated, and here the paper called the "All Polish Review" became the standard and rallying-point of the disinherited Poles. The main factor, however, in the development of Russian Poland has been the industrialization of Russia. Russian Poland contains iron and coal. She has become the *entrepôt* of a great trade, and a middle class and working class have sprung up of quite a different calibre to the aristocracy and peasants who formed the Polish nation of old. The consequence of this economic development is to make Poland and Russia mutually dependent, and to create a genuine bond. The downfall of France in 1870 helped to weaken the revolutionary movement, and modern Poland is represented in the Russian Duma by the National Democratic party, whose aims are not separatist, and whose policy is similar to that of the "Realists" in Austria in desiring autonomy and reform without revolution. So far the Russian Government has not met this conciliatory movement in a friendly spirit. The Poles, acting together, were able to acquire great influence in the first and second Dumas, and as a lesson to them their representation was cut down by half. M. Stolypin has considered their programme and declines to assent to it. Liberal opinion in Russia has hardly yet found a means of expression, but when it does it will certainly be found to be strongly in favor of conciliation to Poland—a policy already supported by many statesmen and publicists of all parties. The genuineness of the professions of the National Democrats as to their loyalty to the Russian Crown may be tested by the fact that during the period of revolution which followed the Russo-Japanese War there was no serious outbreak in Poland.

Bismarck, as has been said, was too much occupied for many years, even after the victories of 1870, to turn his attention seriously to the Polish question, but that he never lost sight of its paramount importance is shown by many references in his Memoirs. Polish writers declare that the partition of Poland would never have been consummated had it not seemed to Prussia that the Poles were on the point of developing those liberal ideas

which had begun to spread from France. In 1848, say the Polish patriots, the Prussian Government actually encouraged the rising, and distributed arms from the Berlin arsenal to a Polish legion, knowing well that the Russian Government would take alarm at what appeared like an anti-monarchical movement. The Machiavellian design was to strengthen the hands of that party in Russia which was opposed to Pan-Slavism and to Liberalism, and in this, as we have seen, Prussia eventually succeeded. The scheme of Germanization devised by Bismarck was twofold, economic and mental, and aimed at reducing the number of Polish landlords and peasants and at banishing the Polish tongue from public life and from the schools. But not till 1873 did a definite policy shape itself as regards the language, and it was thirteeen years before Prussia was in a position to take measures for enforcing the scheme. One reason for this long delay (apart from the preoccupation of Bismarck with a succession of domestic difficulties —the *Kulturkampf,* the struggle against free trade, and the coercion laws against social Democracy) was undoubtedly the heavy expenditure involved by a project which amounted to nothing less than this—that the Poles should be bought out of their own country, and that such as could not be got rid of by these means should be deprived of their nationality by the simple means of making them speak German. The combination of a cultural and economic campaign was throughout Bismarck's idea, but it was only four years before his dismissal, when the Franco-Russian alliance was looming on the horizon, that the Germanization of the Polish provinces began in earnest and the Prussian Diet voted five millions sterling for the purpose of settling Germans in the Polish provinces and developing the country. In 1898 a further grant was made, and in 1902 the total was made up to twenty-two and a half millions sterling. The whole aim was to plant a prosperous and permanent German population on the soil, and thus to oust or assimilate the Poles. The eastern provinces were to be stamped deep with the Prussian impress. The policy was actively encouraged by Bismarck after his retirement, and Prince von Bülow expressed his belief in its importance in the striking sentence in his "Polish speech" of 1902: "I regard the Eastern Provinces question not only as one of the most important . . . but as eminently the one on whose solution the immediate future of our Fatherland depends."

What is the result of the determined effort to solve the Polish problem? Up to the end of 1906, after an expenditure of seventeen and a half millions sterling, it is estimated that not more than 75,000 acres have actually passed from Polish hands into those of Germans. The Poles have a Settlement Commission of their own, operating through their Land Bank, agricultural co-operative societies and other patriotic agencies, which are all prosperous business concerns paying high dividends. The price of land has risen to a point where the German landlords find it a great temptation to sell to the Poles, especially as they encounter hostility among their Polish neighbors. Any Pole selling to a German is ruthlessly boycotted. There are not wanting critics who declare that the Settlement Commission has been exploited by friends and relations with land to sell, and has besides consumed an enormous amount in salaries and working expenses; but, whatever may be the causes, the fact remains that one quarter of the National Debt of Prussia is due to the anti-Polish policy.

Meanwhile, the attempt on the Polish language has had little more success. All Europe was amused—and pained—at the spectacle of a great kingdom like Prussia fuming and fulminating with rage while 50,000 school children upset the whole course of law by refusing to say their prayers in German! The Polish population of the Ostmark increased ten and a half per cent. between 1890 and 1900, and since that date the Parliamentary vote cast by the Poles has risen rapidly, from 342,784 in 1903 to 453,774 in 1907. Socially, the Poles hold their own easily; and, owing to the boycott of German professional men and traders, a Polish middle class has risen and is prospering. Intermarriage means that the children, almost invariably, are brought up with Polish ideas. "Experience teaches," said Bismarck, "that a Polish wife makes her husband a Polish patriot in the twinkling of an eye." In short, we find this extraordinary anomaly—by no means rare, however—that the conquered race is proving stronger than its conqueror.

The latest move in the game is a Bill for compulsorily expropriating Polish landowners—an eloquent testimony to the failure of the more legitimate scheme. This Bill, which passed amid the execration of all men of liberal views, has not yet been put into operation, but the national policy is to be pursued "vigorous-

ly and persistently." Bülow's excuse for the Bill was that it was the only hope of introducing landowners of German nationality, but even this forced settlement will not insure the Germanization of these provinces, which the Royal Speech at the opening of the Prussian Diet on January 7th, 1907, declared to be "the historic mission of Prussia."

The vital nature of this problem to Prussia will be realized when one remembers the weakness of her eastern frontier—an artificial boundary of 750 miles (on a lowland plain, with no natural obstruction), coterminous with Russia. A wedge of Russian territory runs in at one point and the frontier here is only 180 miles from Berlin. A chain of fortresses has been established; but, to render these anything more than mere bases, the rear must be secured, and here is the immovable, hostile Polish population, which would be a factor of incalculable danger in case of invasion. Recognizing that Prussia could not satisfy her Polish subjects without disintegrating her own territory, Bismarck determined that the only safeguard was to see that the Russian Poles were kept equally discontented. How much of Russian policy has been suggested from Berlin may never be known, but the bureaucracy of Russia has also owed much to North German inspiration through the numerous Germans of the Baltic provinces who have taken service under the Tsar. The whole force of this influence has been reactionary, and Russian Liberalism has no greater foe, even in the autocratic circles of St. Petersburg, than Prussia, the head of an Empire once foremost in spreading Liberal ideas.

The part played in the Polish question by the recent development of the Pan-Slav propaganda is as yet obscure, but it is certain that Prussia will find it difficult to deal with this new phase. The old Pan-Slavist movement, with its ideal of Russia as the head of the Slavs — essentially an orthodox bureaucratic conception— found no echo in Polish breasts. It is said that certain tribes, hostile to each other under ordinary circumstances, will rally at the "call of the blood," and this is becoming more and more true of the Slavs as they achieve a fuller degree of national consciousness. The Poles, who cherished the idea of national independence until recent years, and who are Catholic and influenced by French theories of political life, could not accept the hegemony of Russia, even from a cultural point of view, so long as Pan-

Slavism meant a recognition of Holy Russia, orthodox and bureaucratic, as the Slav ideal. The modern Slav movement, however, known as Neo-Slavism, originating chiefly from Bohemia, is less political and yet more practical in design than the older propaganda. It constitutes a "call of the blood," but on broad grounds which compromise no national dignities and, instead of emanating from Russian official sources, it makes its appeal to Russian Liberals, who, in responding to it, have expressed their acquiescence in the claims of Poland to national liberty within the Russian Empire. A Bohemian delegate to the second Neo-Slav conference told his Russian hearers that justice to the Poles is essential to Slav unity and progress.

The apparent consolidation of the two great Teutonic States of Central Europe gives practically one Power stretching from the Baltic to the Adriatic, and possibly to the Ægean. The military efficiency, and the naval potentialities, of this alliance enable it to set on one side considerations based on those pacific *ententes* which of recent years have been multiplied in the hope of avoiding international collisions. Once more Europe is faced with the crude assertion that Might is Right, and the immediate result has been to plunge all the European nations into a sea of unrest. For a long period Austria, whose population is predominantly Slav, although her ruling House is Teutonic, has held the scales between Teuton and Slav and has thus preserved the balance of power. Now she has thrown herself violently into the Teutonic scale, and, having been the only Power to grant autonomy to the Slavs, is now posing not as a deliverer, but as an oppressor — for the Austrian policy in Bosnia - Herzegovina is definitely anti-national and oppressive. She is, in fact, committed to the Prussian programme. The other half of the Dual Monarchy, Hungary, is ruled by a Magyar oligarchy who in a mad fit of Chauvinism have so alienated their Slav subjects (also a large proportion of the Hungarian nation) that they are now bound to rely on German support or see "the Magyar State ideal" swallowed in the Slav sea by which it is surrounded.

This apparent solidarity of interest and purpose is all directed to the furtherance of Prussian policy. The Germany which existed before 1870, with its liberalism, pacific tendencies and high spiritual ideals, has disappeared before the march of industrialization, materialism and militarism. Prussia has dictated the

national ideals, as she dictates the foreign policy, of the German nation. With regard to the Slavs, we have seen that that policy has two canons—to divide the smaller Slav nations and to keep friendly with the big one. The latter half of this policy has only been possible because the Government of Russia has never represented the sense of the people. It is becoming increasingly difficult, and the humiliation recently inflicted on Russia was felt by both Government and people. The former may overlook it, but not the latter. The inherent weakness in the Prussian position is that it depends, in the long run, on the permanent subjection of that stubborn Slav race feeling which has survived centuries of oppression, and which in the process has learned how to hold its own in the teeth of superior organization.

Will the Slavs respond to the "call of the blood"? Whether or no, it is plain that the Polish question, the pivot on which Russo-German and Austro-German relations depend, is by no means settled, and still remains the Achilles heel of Prussia and of the Teutonic hegemony.

ARCHIBALD R. COLQUHOUN.

THE NOVELS OF ROBERT HERRICK.

BY W. D. HOWELLS.

It would be easy, but I am not sure that it would be well, to count on the fingers of one hand the American novelists of a later generation than Mr. Henry James, who are at once moralists and artists, who set the novel of manners above all other fiction, and who aim at excellence in it with unfailing conscience. When I have generalized in these terms, I find that I have specialized, and without treading the devious and dangerous paths of comparative criticism have arrived at the work of Mr. Robert Herrick, which I prefer to consider positively. It does not stand alone; but it is quite sensibly part of what is alone vital in our imaginative literature; it is apparently, if not actually, the fulfilment of an ethical impulse effecting itself by means of truth to life, and by the study of character, serious, self-respectful, a little less lightened by humor than I could wish, but kept in its course by its constancy to a high purpose. It asks courage in the reader who shrinks from pain; but if he will once submit himself to its conditions, it will hold him to the last word with a grip on his interest which nothing merely amusing will lay. As I understand, this is what the reader primarily wants; but Mr. Herrick's fiction will do something more for him; it will keep him under its spell when he has shut the book. It will give him something to think about: himself, for instance, and his relations to other men very like himself in their common human nature. If his thoughts are not altogether pleasant, it will appeal to his sense of justice to declare why, and it ought to set him about seeing how he can make his thoughts pleasant.

The novels of Mr. Herrick, so far as I know them, are six; and none of them is unimportant. They relate, except the one which is least important, to Chicago, and they are mainly peopled

by Chicagoans, especially Chicagoan women, either native or of that more Eastern or more Western derivation which somehow fails of making Chicago cosmopolitan. In holding the mirror up to Chicago, the author does not always show her a flattering image; but I should not be prepared to say from this fact alone that he showed her a faithful image. I find its truth in something less extrinsic, in the sort of assurance that an author cannot help giving you in his first page, unless he is an uncommonly clever trickster, that he is not faking. That is, not consciously faking, for there may be an essential artificiality in him, as there certainly is not in Mr. Herrick, which keeps him from knowing the real from the unreal, and so far absolves him of the sin against light and knowledge which is the worst of sins in a novelist. Mr. Herrick's work covers the ground covered by the work of Mr. Henry B. Fuller, of Mr. Will Payne, of Miss Edith Wyatt, and I dare say by that of other novelists whose books I have not read or not read so often; for the work of their Chicago group is so good that I like to recur to it better than to that of any other Americans now writing fiction.

The order in which I have acquainted myself with Mr. Herrick's novels is that of "The Gospel of Freedom," "Memoirs of an American Citizen," "The Common Lot," "Together," "Jock o' Dreams" and "The Web of Life"; but the fourth of these is the latest published and is quite new. All of them are modern in the full, frank and fearless spirit of their dealing with their material. The material will sometimes seem of its own choosing, but probably it is always the author's, and it is only one of the proofs of his skill in illusion that he should seem chosen by it. I do not say but it sometimes seeks its own ends beyond the scope of his primary intention, and in certain cases implies a precept where it was merely meant to offer an instance. For example, "Together" has to do with that new ferment of the old wine of individualism in women's character which is observable in their modern life, though not, I fancy, so often as our novelist appears to think. He may be painting moods, however, where he seems to be painting lives, when he portrays so many women loathing their husbands in the first moments of marriage, or getting sick of them as marriage keeps relentlessly on, and breaking from them at last in open or covert rebellion. In these appearances, if they are not realities, the book is franker than we once

supposed desirable for young people of their sex; details of emotion and behavior long blinked in Anglo-Saxon fiction are not spared; but it is to be noted in the book's behalf that the facts are recognized with a pathological decency. Yet there is one of these moods, or lives, or whatever, which will persist as question in the minds of those come to the knowledge of good and evil, and which I should not think it right in a critic to pass by. The question is whether a woman who despises the weakness or badness of her husband to the extreme of going off for several days and living with the man she has come to love, can be taken to have sufficiently expiated her sin by refusing, when left free, to marry the man she lawlessly loves.

One uses that quaint old word "sin," which has almost dropped out of our vocabulary, with a certain sense of its obsolescence, and perhaps of its original inaccuracy. Yet, with all its faults, one must still use it, for it indicates, if it does not strictly define, the sort of offence against morals which is not a crime. The offence is personal; and, so far as we know, the agency which we must still call "God" punishes it, just as crime is a social offence and Man punishes it, or vice is a physical offence and Nature punishes it. But a time seems to arrive when a sin can no longer be left to the sinner and his God, and when it becomes a social offence and man must punish it. Or, perhaps, not punish it; that is another of the troublesome questions; and generally man solves the question by wishing it could be left altogether to God. The freedom which the woman in "Together" won from her hateful marriage in the joy of her escape to her lover was that "freedom of the broken law" which Hawthorne recognized in its eternal impossibility as a part of conduct. So long as the law lasts, whether it is founded in God or founded in man, that freedom cannot be permitted without ruin. The law must be forever obeyed, or it must be forever repealed. It may be that the hour has come in which the woman shall say, when the minister asks her if she takes the man for her husband: "Yes, as long as I can I will love him; as long as I respect his mind and heart I will honor him; as long as I think him wise I will obey him. But when I cannot and do not, then I shall feel myself free to go away with some man whom I do love and honor and obey, for a day or forever, and I promise you that I will never have a moment's remorse from it." One may say, for argument's

sake, that perhaps it may be well so to amend the marriage vow; but, while the marriage vow remains as it is, and men and women take one another, for better or worse, till death do them part, then apparently the freedom of the broken law is the bond of iniquity. It is not less really so because it is not apparently so in the case supposed in "Together." Its motive is not altered by the circumstance that the woman is a woman of peculiar courage, courage enough to ignore the fact that she has dishonored her little son who loves her paramour and is equally loved by him and herself; her offence is the ranker for this reason.

One holds Mr. Herrick to account for greater clearness in this passage of his story, because of the absolute clearness of his meaning in the like passages of his other stories. I think he sees the social conditions, as regards the wilfulness and waywardness of women, rather redder than they are, or say yellower, for there is a strain of vulgarity in their aberrations which is very suggestive of a kind of modern journalism; and that, perhaps, he mistakes some of the tricksy

"Lights that do mislead the dawn"

of women's greater independence for the balefires of the Pit; and yet it is well to have inquired into the facts with unsparing fearlessness. It is ground in our fiction through which the pioneer must break his way, but it may be that it is time the way were broken. If Mr. Herrick is rather lonely in it as yet, he has company enough in the criticism of our economic and commercial life. It is already long since this was supposed to be without a close and constant relation to our spiritual life, and many of our novelists have already affirmed the contrary in saws and instances only a little too loud, a little too exceptional. What makes Mr. Herrick so useful in this field is his artistic self-control. Such books as "The Common Lot" and "The Memoirs of an American Citizen" strike me as scarcely amiss in any detail, and they are without the hectic flush which in an author imparts itself to his subject, and makes his reader doubt if it be the hue of life. The books are, of course, rather the more terrible on account of their quiet veracity; and their convincing power brings us to a wholesome shame for what we have so largely become. They are not only terrible, but they are terrifying in certain climaxes, such as that awful hour in "The Common Lot," when the architect

who has "stood in" with the jerry-builder sees the victims of his fraudulent construction drop into the roaring volcano which his "fire-proof" edifice has become. As you look on with the wretched man, whose moral ruin has been so reasonable, so logical, you become one with him in your consciousness of like possibilities in yourself. When a novelist can do this with his reader, he has taken himself out of the category of futile villain-mongers and placed himself in the high, clear air where George Eliot discovered in our common human nature her immortal Tito.

It is grosser human material which the author deals with in "The Memoirs of an American Citizen," but the basis of the story is wider, and in its more inclusive portraiture of manners it is a greater book. When it need be fine, it can be so fine that it will bear microscopic examination, like those feats of Preraphaelite art which were as true whether you looked at them across the room or put your eyes close to them. The business career which is the theme of the epic is handled with as much skill in its implications as in its facts; the spiritual and material incidents are portrayed with an equal sense of their outer appearance and their inner significance. It is hard to say whether the autobiographic form of the story is altogether an advantage; the meaning has often to be suggested rather than expressed by the autobiographer's carefully guarded unconsciousness of it; that is a triumph for the author, but perhaps the triumph is less than he would have achieved in the historical form. That, however, is merely a technical question which does not concern the vitality of the book: what makes it so exceptionally vital is the insight with which it penetrates to so many recesses of so many kinds of American character, searching motive and tracing action to inevitable consequence. Men and women, old and young, high and low, in business and in pleasure, in commerce, politics and society, are seen and shown in that newer world of the West which is the heart of the New World now aging so rapidly into the image of the Old. The novelist paints human nature, which is forever the same and is forever changing to fit itself to the changing conditions for good as well as for evil. The persistence of the eternal ideals of right, even in the souls of them that do wrong, and are increasingly callous to the stings of conscience, is as evident in the autobiographer as in those who reject him in his hour of triumph and realize his essential defeat. The moral

is worked out in no allegorical abstractions, but is shown in the very texture, the warp and woof of our life.

A signally uncommon touch of characterization is the autobiographer's recognition that in some points of conduct he may have been, or really was, rather awry, but that in broadening opportunity for thousands by increasing the general facilities, by promoting prosperity, and so "doing good," his merit has been greater than that of those who have merely kept themselves straight. He has been the agent, the ally, not to say the accomplice, the "pal" of Providence, and he knows it, whether Providence knows it or not. Still, he is not boastful; a man who has come from the farthest way back, and through a purely business career, has advanced himself to a seat in the United States Senate need not boast. A certain uneasiness rankles in him; but that cannot be helped, and that is all.

It is a grim book, and "The Web of Life" is a tragical book with as much fealty to truth and more final comfort. Public interests enter into it, as they do into nearly every book of Mr. Herrick's, but it is a personalized relation which its people bear to them. If I did not think so well of his other books I might say this was his best: there is a poetic sense of Fate in it, quite short of fatalism, and a pathos which the austere Nemesis of "The Common Lot," for instance, does not indulge. Mr. Herrick always, probably, evolves his characters with reference to their origin, which may be as simple as you like; he lets them keep their tradition, their conscious past, through whatever social successes tempt them or reward them; and we often see in them the truth noted by Mr. George Ade that "Chicago is a city made up of country people . . . a metropolis having a few saving virtues of a village." Such a saying is a key to the secret of what goes on in the minds and hearts of nearly all the people in "The Web of Life," and they are the more interesting because they have not lost the strong vitality deriving from the Indiana village or the Wisconsin farm. It is a great book, but sad, sad.

I might say the same things in different proportion of Mr. Herrick's other books. I do not know the order of them, but I should think "Jock o' Dreams" (which I like better by its second name of "The Real World") was the youngest of them. The scene for once is not in Chicago at all, but in a Boston suburb, in a Maine summer settlement, and in New York. It is so placed with-

out weakening the action, and with an advantage in the variety of types studied. The young people are especially well done, both the city and the country young people. The university impress in several of the young men, whether they have been of great or of no importance at Harvard, whether they are snobs or swells, is caught with skill; the hero is always truthfully and interestingly shown, and he is as new to fiction as he is true and interesting. One thoroughly likes him and likes to feel that he is the American stuff, as surely so as any character of Tourguenieff's is the Russian stuff; from the beginning to the end he is excellently ascertained. The heroine, if she is the heroine, the Europeanized Ohio village girl, who is untrue to her best in marrying money and to her worst in not being faithful to it, is never quite convincing, and at times in the supreme moments she is quite unconvincing. She is that phase of the eternal feminine which betrays the author in "Together" not merely to the excessive impartiality which I have noted in a particular case, but to what I think a strabismic vision of our woman-world.

It has not gone so far wrong as all that in its love or its lust of individuality, of self-worship, though it may be going that way. But there are many provisional and some final arrests, which Mr. Herrick has himself noted in "The Gospel of Freedom," and upon the whole I must regard that as his greatest book, greater in a wider if not deeper sort than "The Web of Life." It is not, to my thinking, more important because it deals with a woman of "higher" derivation; but it is the more notably successful, because it finds her and keeps her entirely human, which is more difficult with the women of our "world," East or West, than with the women of our life. There is not so much hurry, not so much intensity, as one is aware of in Mr. Herrick's more hyperæsthetic stories; he has not, apparently, so much to prove or to reprove; but the evidence and the penalty are clearly there. The well-born, well-bred and well-principled woman whose relation to art promises to be indefinitely amateurish, and who hopes to find her more vital and practical self in marriage with a business American after being his business partner, and who then abandons her failure and returns, returns in vain, to the life of sterile æsthetic enjoyment, this is the skeleton of a story which the art of Mr. Herrick has clothed in flesh and blood, and given veracity and constantly increasing significance. I do not remem-

ber any point where his art played me false or descended for however good a purpose to dissembling. The people are such as from your experience of men and women you know to be veritable, and without being over-motived, they work out to the inevitable end. It is the highest privilege of the artist to take not only morally mean and nasty people, but dull and tiresome ones, and by virtue of showing their reality to make them interesting and even fascinating, as Mr. Herrick does in more than one book. The detestable little æsthete (who is the sole "hero" of "The Gospel of Freedom"), living upon the liberality of those who really love beauty more than he, without the expectation or promise of use in his study of the beautiful, is no more a triumph of that author's art than such a null and merely selfish woman as the heroine's mother, who seems merely to happen in it. But the highest triumph of all is the equilibrium in which it holds the reader's feeling toward the heroine. This is a balance which seems the effect of her own nature, and though it trembles now toward the squalor of moral ruin and now towards the pathos of innocent suffering, it does not finally incline towards either. She is what she has become: a woman who has sought herself and not others in what she has been and done, and who pays the cost.

In my sense of this fine art so strong and so definite, I am struck with the likeness between my author's extrinsic case and that of Mr. Leonard Merrick, the young English novelist whom I wrote of here some time ago. Each book of Mr. Herrick has had due recognition from criticism; his good faith, his rare power, his high purpose in each have been fully acclaimed, but he has failed of an assembled and united acceptance as one of the greatest Americans now writing fiction. Inferior names are more constantly the praise of the unanimity which is not the lasting majority; that is not so bad; but his name has not been of that thoughtfuller mention which his work has merited. That is, it seems so to me; but I am of the passing generation whose sight and hearing are not so good as they were; and it is very possible I am mistaken. I should be very willing to think so, and I put away gladly the misgivings which beset one when one has written warmly in praise of an author. I will still believe that with the one break noted in "Together" Mr. Herrick's fiction is a force for the higher civilization which to be widely felt needs only to be widely known. At the end I do not feel that I have said all

I might in its behalf: its good sense, its right-mindedness, its courage, its generous, its indignant impatience with our social and economic oppressions, its perception that the individual life is in no wise separable from the general life; and there is one fact of it which I wish still more specifically to note. If Mr. Herrick were older I should say he had learned from life how patient people are with disappointment, in the larger rather than the smaller experiences, and how beautiful and pathetic their resignation to fate is. As he is not an old man, but young enough to write many more excellent fictions, I must suppose that he divined the fact. What I should finally say of his work is that it is much more broadly based than that of any other American novelist of his generation. The fact is not affected by the other fact that it has not the same width above ground as below. It is founded in the universal passions and propensities, but the superstructure is rather of the exceptional than the universal experiences. This is in a measure inevitable. The novelist takes uncommon lives out of the common life; and if he is wise he shows them as instances, not as examples; but he must make this clear. If he is, like Mr. Herrick, a moralist as well as an artist this is especially his duty.

W. D. Howells.

MEDICAL EXPERT TESTIMONY.

BY ALPHONSO T. CLEARWATER, LL.D.

It is evident that the methods now pursued in admitting medical expert testimony in civil and criminal trials do not efficiently subserve the ends of justice. Briefly, they are that any party to a cause selects and pays his own experts, invariably selecting those who are willing to sustain his contention by swearing to opinions favorable to it. The expert, on being called to the witness-stand, is interrogated as to his knowledge of the subject, when and how he acquired it and the extent and character of his experience. If the Trial Judge concludes, as usually he does, that the witness is qualified to express an opinion upon the question involved, his ruling determines the expert's competency and the admissibility of his testimony so far as the trial at bar is concerned. The result is that many incompetent men are permitted to testify to crude and erroneous opinions—as, sometimes, the Trial Judge lacks the ability to distinguish the real from the masquerading expert; sometimes, possessing that ability, he lacks the courage to exercise it; and it has happened that the Trial Judge has not been unwilling that a brilliant charlatan should testify to the most reckless opinions, provided thereby public attention was directed to the trial over which the Judge presided.

In England and her colonial possessions much the same method is pursued. In Germany, medical experts are appointed by the Judges and are obliged to serve under a heavy penalty. They are allowed their expenses and a reasonable sum for their time and trouble, which is paid by the State. They are not looked upon as witnesses for either party, but as aids to the Court in ascertaining the truth. Their social position is much enhanced, and the fact that a physician or surgeon has been appointed as an expert to testify in an important matter is looked upon as official

recognition of the high standard of his integrity and attainments. A similar course is followed in Austria, France, Italy, Spain, Holland and Belgium.

Both in England and America the existing method justly has been the subject of severe criticism by the Courts and the public, and attempts have been made to remedy it by Parliament and the Legislatures of some of the States. As a rule, these have failed because of the opposition of lawyers and physicians of secondary rank in both professions. The evils of the present system may thus be summarized:

1. There are no satisfactory standards of expertness, and thus the testimony of charlatans is invited;

2. The character of the evidence often given by so-called experts is partisan and unreliable;

3. Trials are prolonged and their expense is increased on account of the number of witnesses;

4. The contradictory testimony of experts of apparently equal standing, having the same opportunities for acquiring knowledge of the facts, has a confusing effect upon juries;

5. Unprincipled self-styled experts are sometimes unscrupulously hired to support causes by specious and untruthful testimony;

6. Some Trial Judges are prone to permit incompetent so-called experts to testify to opinions predicated upon widely unrelated facts, and to express views which are but the speculative vagaries of ill-informed minds;

7. The expert must depend for compensation solely upon the litigant for whom he testifies;

8. The litigant who has the longest purse can produce the most imposing array of experts;

9. The Bench sometimes permits the Bar to treat the accomplished and modest expert with studied contempt;

10. Some Trial Judges are disposed to convert important trials into spectacular dramas which not infrequently descend to comedy and degenerate into farce, with the result that the administration of justice is degraded.

Theoretically, an expert is a scientist solely interested in facts, who should retain absolute freedom of judgment and liberty of speech—which it is almost impossible to do where his emolument entirely depends upon the good graces of an employer. It is evident that the commercializing of scientific knowledge, where the

compensation for its acquisition and expression depends entirely upon the extent to which it contributes to the success of a litigant, lessens its accuracy and value. The opening years of the twentieth century witness an enormous development of and market for special knowledge. Controversy among experts thus becomes almost inevitable, especially under conditions where they lease their opinions, usually at a large price, to aggrieved and aggressive parties who may profit, either fairly or unfairly, by the doubts which they are deliberately employed to inject into the case. The increase in wealth, the multiplication of the wants of modern civilization, the colossal character of the interests daily requiring the arbitrament of courts of justice have resulted, therefore, in the gravest abuses in the introduction of expert, especially medical expert, testimony in testamentary and criminal causes, until it has come commonly to be believed that such witnesses are so biased that hardly any weight should be given to their opinions. As was recently said by the court of last resort in a New England State: "If there be any kind of testimony that not only is of no value at all, but even worse than that, it is that of the medical expert"; and by the Supreme Court of the United States: "Experience has shown that opinions of persons professing to be medical experts may be obtained to support any view."

The expert witness, to be free from embarrassment of any personal relations to or with the parties to an action, should have no client to serve and no partisan interests or opinions to vindicate. He should give his opinion as the advocate neither of another nor of himself. When he speaks, he should speak judicially, as the representative of the special branch of science which he professes, governed by the opinions of the great body of authorities in that branch, and in accord with the result of their most recent investigations. When this is done, and not until it is done, shall we have expert testimony rescued from the disrepute into which it has fallen. By the adoption of some such system the mature judgment of the best minds could be obtained, and the superficial opinions of quacks and mountebanks would not be thrust upon the jury to their confusion and the hindrance of justice.

The testimony of witnesses who are brought upon the stand to support a theory by their opinions is justly exposed to sus-

picion. They are produced not to swear to facts observed by them, but to express their judgment as to the views held by those who employ them; they are selected to express an opinion valuable to their employers—an opinion, there is reason to believe, which is the result of the employment, the payment and the bias arising out of it. Such evidence always should be cautiously accepted as a foundation for a judgment; in many cases it has induced unwarranted verdicts, discreditable to the administration of justice and detrimental to the public interests.

Especially grave are the scandals arising from the prevailing methods in trials for homicide. Despite the veneer of modern civilization, there exists in many men a disposition to right their own real or fancied wrongs by brushing aside the slow methods of the courts and taking the law into their own hands. This is particularly true in cases where a woman is involved. Man is still primitive in that he clings to the primal notion that woman is a peculiarly precious kind of property, any interference with which deserves and demands the immediate and severe punishment of the aggressor; when a man kills the intruder he believes that his fellow men will exonerate him in their hearts, and that they will do so by their verdict if he can furnish them with a pretext for doing so. Thus lawyers, playing upon this ineradicable primordial instinct, advise the hiring of accommodating medical experts to swear to a flimsy theory of temporary mental irresponsibility, with the belief, predicated upon long experience, that the jury will seize upon it as a basis upon which to render a verdict of acquittal. No less scandalous is the abuse of medical expert testimony in contests, real or feigned, over the wills of wealthy testators, advantage being taken of the primal notion that a man's nearest connections by blood are entitled to his estate. Thus, if a man of large wealth, for reasons of controlling importance to himself, divides his property unequally between his children, or, failing children, bequeaths it to his widow, and religious, educational or charitable institutions, his will frequently is contested by relatives whom he scarcely knew, sometimes whom he never heard of, and to whom, had he known them, he would not have given a dollar. The contest usually is predicated upon allegations of mental incompentency or undue influence, but really it is based upon an appeal to the primal sentiment in favor of equal distribution between relatives of the blood. Not-

withstanding the fact that over ninety per cent. of such contests are for purposes of blackmail, over sixty per cent. of them are compromised by the payment of a substantial sum to the contestant—the actual and legal beneficiaries too often being advised by conservative counsel that an unscrupulous adversary can hire abundant medical expert witnesses, of apparently fair standing, to testify to mental incompetency on the strength of the most trivial idiosyncrasies of conduct. The euphemism for this barbaric survival is "the unwritten law." Although, in both classes of cases, the medical expert is guilty of moral perjury and the lawyer who advises his employment is morally guilty of subornation of perjury, so common is the practice, so blunted are the sensibilities of the members of both professions and of the public that both the physician and the lawyer retain unimpaired their professional and social standing—in fact, they find more admirers than contemners because they profit largely by the performance.

The treatment of the fair-minded, thoroughly equipped man of science by the Bar and Bench cannot, however, be changed by legislation. Any improvement upon the existing method must originate with and be carried out by the advocate and the Judge themselves. Both profess a desire for reform, but neither as a body, until recently at least, has undertaken to bring about reform in anything approaching a systematic or effective manner.

It is evident that the personal embarrassment of having to proclaim one's self an expert, or at least a reputed expert, is enough to disturb the normal operations of any highly trained mind.

The Bar has cultivated and is largely responsible for the fallacy that a witness is to be discredited if he can be disconcerted ("rattled"). Thus the art of cross-examination, so potent for good when fairly and properly used, plays havoc with hard-earned and well-deserved reputations in the hands of lawyers whose sole ambition it is to win.

Scientific opinion, to be of controlling value, can be given only under conditions of mental repose. The haggling, sharp interruptions, uncalled-for wit, insolent comment and the other too common features of important civil and criminal trials, are not such conditions. While they put some witnesses on their mettle, they throw the majority and the more competent into a state of mind in which all sorts of stupidities may be expected.

The Legislature cannot prohibit a party to an action from calling such witnesses to the facts of the case as he chooses, although it is within the discretion of the Trial Court to limit the number of expert witnesses; this discretion must always be judicially and not arbitrarily exercised, and, unless it affirmatively appears that it was abused, its exercise is not reviewable.

It should aways be borne in mind that the competency of a witness to testify to an opinion is a question of fact for the determination of the Court; but there must be a limit to the reception of expert testimony, for an army may be had if the Court will consent to their examination; and, if legal controversies are to be determined by the preponderance of voices, wealth in all litigations in which expert evidence is important may prevail almost as a matter of course.

If no limit be interposed, the little discrepancies that inevitably will be found in the testimony of those who in the main agree begin to attract the attention and to occupy the minds of the jury, until at last jurors, with their minds on unimportant variances, come to think that all expert testimony from its uncertainty is worthless.

Occasional lack of compentency and experience in judicial position is one of the misfortunes of our public life, but not less disastrous is the weakness of Judges who find it more agreeable to occupy the centre of a stage than to see that justice is carefully administered solely with regard to the rights of the individual and the State.

It is within the power of judges at *Nisi Prius* to require a greater degree of competency upon the part of persons claiming to be experts by the simple but effectual method of defining to a jury, with force and precision, the distinction between a witness proven to be thoroughly qualified to speak upon the subject regarding which his testimony is offered, and one whose claim to speak is predicated principally upon the fact that he is paid to do so.

If Trial Judges will pursue this course and are sustained in so doing by the Appellate Bench, courts of justice will be rid of corrupt and worthless so-called experts, provided the Judges themselves are animated solely by a wish to see justice properly administered.

Rhode Island and Michigan have attempted to remedy the

evil of corrupt and biased medical expert testimony by legislation; a similar attempt was made in Maine last winter, but an admirable law framed by Chief-Justice Emery of the Supreme Court of that State was rejected by the Legislature. At the annual meeting of the New York State Bar Association, in January, 1908, its then president, the Hon. Joseph H. Choate, handed to the writer a number of letters he had received upon the subject, and requested that it be brought to the attention of the Association. This was done, and the newly elected president, the Hon. Francis Lynde Stetson, appointed a committee of nine, one from each Judicial District of the State, to consider the matter, and to report to the Association at its annual meeting in January of this year. Of that committee I became chairman, and during my investigation of the subject corresponded with judicial and other officers in all our States, in England and the countries of the Continent of Europe, except Russia and Turkey. It is universally admitted that so grave a defect in the administration of justice should be remedied, and it is conceded that the defect is of such long standing that reform will be slow and difficult, largely because of the inertia of the Bar. I regret to say that I have found a greater degree of enthusiasm for better methods among physicians than among lawyers.

The Committee of the State Bar Association invited the cooperation of the New York State Medical Society (the allopathic school), of the Homeopathic Medical Society of the State, and of the New York Academy of Medicine. All appointed committees of distinguished physicians to confer with us. The result of our joint deliberation was approved by the Bar Association and all the medical organizations, and was presented to the Legislature of New York in the form of a bill which provided that the Justices of the Supreme Court assigned to the Appellate Divisions should designate at least ten, and not more than sixty, qualified physicians in each Judicial District who could be called as medical expert witnesses by the Court or by any party to a civil or criminal action, and who, when so called, should testify and be subject to examination and cross-examination as other witnesses are; that any designation might at any time be revoked without notice or cause shown, and any vacancy might at any time be filled; that when so directed by the Trial Court, witnesses so called should receive for their services and attendance

such sums as the presiding Judge should allow, to be at once paid by the fiscal officer of the County in which the trial is had, and that the act should not be construed as limiting the right of parties to call other expert witnesses as heretofore. The bill passed the Assembly, but failed in the Senate. It will be presented to the next Legislature, and it is hoped that it will become a law next winter. It is regarded by the Bench and Bar of many of the States as a long step towards the solution of a vexed and important problem.

There are cognate matters of which in passing it may be well to speak:

During and at the close of the trials of the People against Harris; the People against Patrick; the People against Molineux; and the People against Thaw, the newspapers (upon which in this century the majority of people rely for both facts and opinions) contained articles upon medical expert testimony, some of which were thoughtful and useful; many, although well intended, were lacking in accuracy; and a great number were replete with error—all doubtless were largely accepted as true. Among the erroneous views advanced were:

1. That the calling of expert medical witnesses is a custom of comparatively modern growth;

2. That the hypothetical question is a senseless, if not quite idiotic, method of obtaining the opinions of an expert:

3. That an admirable way of remedying the admitted evil would be to have the medical expert personally examine the subject, or, if the issue be insanity, the person involved, make his report to the Court in writing and have the Court submit the written report to the jury.

Fallacious as these views are known to be by the Bench and Bar, to a multitude outside the profession — perhaps to most laymen—they appeal with the force of fundamental truth.

A brief consideration of what is erroneous perhaps will not be amiss:

1. The custom of calling expert medical witnesses has the sanction of antiquity. By the Roman law, medical witnesses could be summoned by the judge at his discretion, and the Code framed by the Emperor Charles V, at Ratisbon in 1532, required the opinion of medical experts to be taken in cases where death was supposed to have been occasioned by violent means.

In 1606, Henry IV of France, in giving letters patent to his first physician, conferred on him the power of appointing two surgeons in every important town whose duty it should be to examine all wounded or murdered men and report thereon, and in 1692, by an order of the Council of State, it was ordained that physicians should be associated with the surgeons.

In England Mr. Justice Saunders said in 1553: "In matters arising in our law which concern sciences or faculties, particularly that of medicine, we apply for the aid of that science, which is an honored and commendable thing in our law, for thereby it appears that we do not despise other sciences, but we appro of them and encourage them as things worthy of commendation."

Cases are recorded in the Year Books from the beginning of the reign of Edward II (1307), to that of Henry VIII (1509), where the courts received the opinions of medical expert witnesses and of others learned in the sciences and arts.

2. The hypothetical question is the proper question to an expert. The criticism upon hypothetical questions addressed to expert witnesses is predicated upon a failure fully to consider or understand the reasons which require them. The ordinary witness testifies to facts, the expert witness to opinions. In testifying to a fact, a witness swears to something he has seen or heard, or the existence of which can be proved by the senses. An expert witness offers an opinion upon a given state of facts. He is not, and should not be, allowed to draw inferences or conclusions of fact from the evidence, nor is it proper to permit him to listen to the evidence of witnesses who testify as to facts and then to draw his inferences from so much of it as he can recall, because he may not be able to recall all the facts testified to or his construction of them may differ widely from the construction which should be put upon them. Therefore, when the facts are controverted, the only legal method is to frame a question upon the assumption that certain facts are true, and then to ask the witness, assuming they are true, his opinion regarding them. If the questioner exaggerates the facts or incorrectly states them, the opinion of the witness is of necessity erroneous, and the Court instructs the jury to disregard the opinion based upon them because the opinion is valueless unless the question fairly states and is fairly sustained by all the evidence in the case.

The form of question approved by courts is so shaped as not to give the expert any opportunity to mingle his opinion of the facts with the facts upon which he is asked to express an opinion. Thus, while a hypothetical question often seems involved, the method pursued is scientific and calculated to eliminate the element of error so far as it is possible so to do.

3. The suggestion that the evils complained of can be remedied by having the expert report to the Court in writing is untenable, because:

1st. The Sixth Amendment to the Federal Constitution and the Bills of Rights of the States provide that the accused, in all criminal prosecutions, has the right to be confronted with the witnesses against him;

2nd. Every party to an action, civil or criminal, has the constitutional right to call such witnesses as he may deem important to the maintenance of his cause, and the right to cross-examine those who may be called against him. In civil actions the deposition of witnesses whose attendance at the trial cannot be procured may be taken by commission, and on the application of the accused may so be taken in criminal actions, but the right to cross-examine remains.

It will be seen that Medical Expert Testimony long has been a necessary and always will be an important factor in the administration of Justice—the proper administration of which is the most important of temporal affairs. It will require time and effort to restore its sullied lustre, but the aim justifies the struggle.

ALPHONSO T. CLEARWATER.

THE TRUTH IN REGARD TO THE WAR OF 1812 AND THE NECESSITY OF OUR KNOWING IT.

BY GENERAL GEORGE W. WINGATE, PRESIDENT OF THE PUBLIC SCHOOLS' ATHLETIC LEAGUE.

THE editorial in the New York "Evening Post" of June 27th, 1908, denouncing the attempts of the Public Schools' Athletic League and of the National Rifle Association to instruct the boys of the High Schools in shooting with a military rifle, asks the questions, "Could the use of the rifle have any other effect than to stimulate the reckless use of arms by minors?" and, "What kind of patriotism is that which is to be acquired by going to a range and shooting at dummies?" This and a number of similar statements in otherwise intelligent periodicals, as well as much of the criticism of certain statesmen of both parties and other influential men on Mr. Roosevelt's anxious desire for four battleships, and against the recent law of Congress to put the National Guard of the different States into condition for service, and in particular, the persistent refusal of Congress after Congress to enact the military legislation urged by nearly every President, are largely based upon an erroneous idea which exists in respect to American success in the warfare on land during the War of 1812.

While the ordinary American is sufficiently familiar with the details of history to know that disasters frequently overtook our armies during the Revolution in consequence of the unreliability of hasty levies of untrained men, and that nothing substantial was accomplished until the organization of the Continentals (who were really regulars), yet few are aware that these disasters were repeated upon a much larger scale throughout the War of 1812. On the contrary, more than a majority of our people firmly believe that this war was on land, as well as on sea, a series of

"magnificent victories, won by inexperienced American citizen soldiers against superior forces of veteran British regulars." In fact, some fifty years ago there was a popular song which represented, and I think still represents, the sentiments of the people on this subject, the refrain of which was, "In 1812 we licked them well."

This erroneous idea has been strengthened by the similar idea which exists in respect to our Civil War, a war which the community generally associate with the victorious campaigns of Meade, Sherman, Sheridan and Grant, forgetting that they occurred at a period when the "mob of volunteers" of 1861 had been hammered into an army by years of actual conflict, at an enormous and largely unnecessary sacrifice of men and money, and ignoring the disasters and fiascos of 1861 and 1862.

The conviction as to our exploits in 1812 in "defeating foreign regulars with untrained American citizens," is not only prevalent, but constitutes a serious injury to the country in the influence which it exerts in preventing necessary military legislation to provide adequate means of national defence, and at present in leading many to oppose that instruction of our youth in marksmanship, not to mention military drill, which every soldier recognizes to be indispensable for the maintenance of the peace; for no country can expect to remain at peace unless it is prepared to defend itself in time of war. As we never will have a sufficient regular army to do this, we can only make up for it by training our youth to be such good shots that they will be formidable as volunteers. The Boer war showed what skilled riflemen could do even against regular soldiers.

It would seem to be timely, therefore, that some attempt at least should be made to state the truth in regard to the land campaigns of the War of 1812, the more so as many of the errors which occurred in them were not only repeated during both the Civil and Spanish wars, but there is every reason to believe will again appear in the next war in which this country may become involved—particularly the enormous loss of life which is certain to result in such a war from our insisting on limiting the medical service of the army in time of peace to one-third of what is required, with no provision for its expansion if war should come. This truth is that, while the work done by our little navy in the War of 1812 was a credit to it and to the

country, the campaigns on land were a series of humiliating disasters, with the exception of the Battle of Lundy's Lane, Croghan's defence of Fort Stephenson, the victory of New Orleans, the Battle of the Thames and Jackson's defeat of the Indians. This arose from the following causes:

1. The Government had made no preparation for the war prior to declaring it.

2. After war had been declared, instead of enlisting troops for a term of years sufficient to ensure their becoming instructed and disciplined, the Government and the States put their main trust in the militia. This, it is fair to say, was not the present uniformed and drilled National Guard, but the "people at large," a totally unorganized body without military training, drafts from which were called into service usually for periods of from one to three months—too short a period to train men for effective service. It was, however, as much of a military body as the volunteers we should have to depend upon at the present time in case of war, outside our small regular army and the 115,000 National Guard of the States (assuming that the latter would all respond—a thing that it is impossible to expect). Its members could certainly shoot better than our volunteers would do under existing conditions, as our Spanish war demonstrated that the latter cannot shoot at all.

3. The officers, both of the army and the militia, were without military knowledge, and were usually appointed for political reasons.

4. The leading commanders who were not thus appointed were soldiers of the Revolution, who had become inefficient through age.

It is unnecessary to say that in consequence, in addition to the series of defeats which marked this war, it was prolonged very much beyond the time it should have lasted, and its pecuniary cost was rendered enormous.

These statements are so different from the idea generally entertained on the subject that they will be doubted by many. To establish their truth the following synopsis of the land campaigns in the war is given. It is taken from the "Military Policy of the United States," compiled by the late Major-General Emory Upton, a most distinguished soldier of the Civil War, who left it upon his death as a legacy to his country. It was published

by the Secretary of War at the request of General William T. Sherman, who read and approved of it. It was republished by the War Department in 1907. All the facts contained in it are therefore officially vouched for.

The Forces Engaged.

War was declared on June 18th, 1812. At this time the British regular troops in Canada were less than 4,500 effectives. Even these were old men or invalids, fit only for garrison duty, as Great Britain had removed all her efficient troops to participate in the Napoleonic campaigns. Those left, however, were disciplined troops commanded by experienced officers. Although six months previously Congress had increased, on paper, the United States regular army to 35,000 men, at the time war was declared it was actually 6,744 strong. This army was poorly officered, there being at that time only seventy-one cadets who had graduated from West Point. There were no staff organizations, depots or supplies, nor, in fact, any real military organization. Many of the higher officers who had served with credit in the Revolution were now old men whose energy and initiative had gone. Notwithstanding the teachings of Washington and Hamilton, Jefferson and his successors in the Presidency, as well as Congress, had become imbued with the idea that a regular army would be a menace to the liberty of the Republic, and that the militia could be depended upon for its defence.

The greatest number of British soldiers ever in this country at one time during the war was 16,500 in 1814. In other words, while the population of the United States in 1812 was more than double that of the Colonies in 1775 and its wealth much greater proportionately, the largest number of British troops employed against it at any time in this war was only a little more than a third of those unsuccessfully used by the British in the Revolution.

Instead of falling upon the 5,000 British regulars who held Canada in the beginning and crushing them in a single battle, the want of a sufficient organized force caused the war to be prolonged until the American loss in killed and wounded numbered 5,614. The loss from sickness was over six times this number. It was very heavy among the Southerners who were sent to the Canadian frontier.

The number of troops raised by the United States during this war was:

Regulars (including sailors)	56,032
Volunteers	10,110
Rangers	3,049
Militia	456,463
Total	525,654

These figures, however, give no true representation of the actual force in the field at any time, as over 400,000 of these were enlisted for three months or less. With the slow transport of those days, by the time the men reached their rendezvous and had got a partial organization and a little drill, their time of service was about expiring and they had to be sent home. That this involved an enormous cost is self-evident. That such troops were unreliable as soldiers was proved by what took place.

The following is a brief history of the campaigns:

Campaign of 1812.

As soon as war was declared an outcry was raised everywhere that Canada should be immediately captured. Many attempts were made in this direction from different points, all of which were failures. These should be considered by localities:

In the West.—In July, 1812, General Hull crossed from Detroit to Canada with 1,800 men. Without inflicting any damage, he suddenly retreated to Detroit on August 8th, where he was besieged, and where, on August 16th, without firing a shot, he surrendered his entire force to the British, who had 320 regulars, 400 militia and 600 Indians. We thus lost control of the whole of the Northwest. General Hull had been a tried soldier of the Revolution, and he claimed that his troops were insubordinate.

On October 10th, 4,000 Kentucky mounted militia marched towards the Indian villages on the Wabash; but they became alarmed by a fire on the prairie, and on the fifth day abandoned their General and dispersed to their homes.

General William H. Harrison then organized about 10,000 militia from Kentucky, Tennessee, Virginia and Pennsylvania for the same purpose. As soon as he marched, the want of proper supplies and the absence of discipline caused mutiny. After a slight engagement, the Virginia militia refused to obey orders and returned to their camp, which broke up the expedition.

The Niagara Frontier.—On October 12th, 1812 (four months after the war had been declared, a period sufficient for the capture of Canada if we had had any army), General Van Rensselaer fought the Battle of Niagara with 900 regulars and 2,270 militia. He crossed the river and stormed the batteries. But, for want of proper support, the invading party, after a gallant fight, was driven from the batteries to the river and, being unable to cross, was captured. The total force which crossed did not exceed 1,000 men, and its loss was 250 killed and 700 prisoners. The British force was 1,100—600 regulars and 500 militia and Indians. They lost sixteen killed and sixty-nine wounded. This attack was made by General Van Rensselaer against his judgment, on account of the pressure of his officers and troops, who, however, refused to support him when the clash came.

General Smyth having raised 4,500 militia for a month, on November 28th, 1812, after a flowery proclamation, started to invade Canada, but returned the same afternoon. On December 1st, he crossed again, went a quarter of a mile and returned. His army then disappeared.

The Northern Army.—General Dearborn assembled near Lake Champlain another invading army, numbering 5,737, to capture Montreal. He made an advance as far as LaColle River, captured a block-house and then returned and went into winter quarters (where the troops suffered greatly). Nearly all the 3,000 militia included in the force refused to cross the line.

During the year, we called out 43,187 militia and 15,000 regulars, who, being opposed by 5,200 (counting Canadians, but excluding Indians), accomplished nothing. General Brown of our army estimated the British regulars in Upper Canada to be 1,200.

It is notable that at this time the President and his Cabinet had authorized the dismantling of the men-of-war of the Navy to convert them into floating batteries for harbor defence. They were only persuaded from carrying out this plan by protests from Captains Bainbridge and Stewart. The result was a series of glorious naval victories.

Campaign of 1813.

During this year Congress endeavored to raise more regular troops, but found it very difficult to do so, the war being unpopular in many sections.

General Winchester, having taken up General Harrison's abortive attempt to relieve the settlers on the River Raisin, advanced with a force of some 900 men. He was attacked on January 22nd, defeated and captured by a British force of 1,000 men under Proctor, with a loss of 397 killed, 27 wounded and 522 prisoners.

General Harrison had entrenched himself on the east bank of the Miami at Fort Meigs. He was besieged by Proctor with 983 regulars and militia and 1,200 Indians. Kentucky militia to the number of 1,200 were sent to his support, but in disobedience of orders they attacked the British camp and were routed, only 150 escaping. Fort Meigs, although besieged, was not taken; but our losses were 87 killed, 189 wounded and 605 prisoners. The British lost 14 killed, 47 wounded and 40 prisoners.

On August 2nd the British with 391 regulars attacked Fort Stephenson held by Major Croghan with 160 regulars, but were repulsed with heavy loss. This was a creditable affair for us, particularly as Croghan was not twenty-one.

On September 27th Harrison, having received re-enforcements from Kentucky and Ohio, crossed to Canada and on October 5th attacked Proctor on the Thames and totally defeated him, with a loss of 12 killed, 22 wounded and 600 prisoners, all regulars. It was in this battle that Tecumseh was killed.

Harrison had a force of about 1,300. But instead of being sent forward to take advantage of this victory—which won back the territory we had lost and detached the southwestern Indians from the British cause—his army was disbanded. The militia was discharged and Harrison sent back to Detroit. His success, in contrast to the dreary series of disappointing disasters that had marked the war, justly gave him an enduring reputation.

In the Centre—In February, 1813, the British force in this section was estimated at 2,100 by the Secretary of War.

On April 27th General Dearborn advanced on York (now Toronto) and captured it, the American forces being 1,700 and the British 750 regulars and militia and 100 Indians. We lost 270, mostly by a mine explosion. The British loss was 200 killed and wounded and 293 prisoners. Dearborn took Fort George on May 27th, and later the other forts on the Niagara frontier. In one of the attacks an American force of 542 men, mostly regulars, was, however, surrendered because its Colonel believed he was surrounded!

A British attack, on May 27th, on Sackett's Harbor was repulsed with heavy loss by the regulars after a creditable fight. This, like all previous engagements, showed the value of disciplined troops, as the militia ran away after firing one volley. The fugitives who fled in panic to Kingston reported that the battle had been lost, which caused the burning of the naval barracks and stores—a serious loss.

The Failure of the Attack on Montreal.—To attack Montreal 8,000 regulars, under General Wilkinson, rendezvoused, at the foot of Lake Ontario, to descend the St. Lawrence, while another army about 5,000 strong, under General Hampton, was assembled at the foot of Lake Champlain. Though called "regulars," these were recruits without discipline or competent officers.

Hampton crossed the frontier, but was repulsed by a force of 800 militia and Indians, and he returned to Lake Champlain on November 11th. Wilkinson's advance of 1,600 men met 800 British regulars at Chrystler's Fields, whence, after a fight of about two hours, in which he lost 338 killed and wounded, our forces returned to their boats. A council of war then decided that the attack on Montreal should be abandoned and the army go into winter quarters on the American shore. Thus 13,000 men were beaten back by a force of regulars, militia and Indians not exceeding 2,000.

The Centre.—The British then threatened Fort George, the defence of which had been left to General McClure, who summoned a council of war, which decided that the fort was not tenable. Thereupon it was evacuated, and the force returned to the American shore, General McClure directing that the village of Newark be burned.

The British crossed the river on December 19th, captured Fort Niagara through the criminal negligence of the commander, and, in retaliation for the burning of Newark, destroyed Lewiston, Buffalo and several other towns. The inhabitants of Western New York fled, some of them as far east as the Genesee River.

General Cass wrote on January 12th, 1814, in regard to the destruction of Buffalo: "I am satisfied that not more than 650 men, of regulars, militia and Indians, landed at Black Rock. To oppose these we had from 2,500 to 3,000 militia. All, except very few of them, behaved in the most cowardly manner. They fled without discharging a musket."

The Chesapeake Bay.—On March 4th, 1813, the British fleet entered the Chesapeake, and between April 20th and May 6th it captured and burned Frenchtown, Havre-de-Grace, Georgetown and Fredericktown. The landing party in each of these cases was composed of about 150 marines and a small detachment of artillery. On June 20th the British attacked Craney Island in the hope of taking Norfolk and its navy-yard, but they were repulsed.

On the 25th the British took and destroyed Hampton. Their forces consisted of 2,000 men; their loss was 48. The Americans had 450 militia, who lost 31. This, therefore, was a creditable performance by the Americans.

The Creek War.—On August 30th, 1813, the Creek Indians captured Fort Mims in Southern Alabama and massacred all in it, some 400. General Jackson was given command of 2,500 men raised by Tennessee. On November 3rd he fought the Battle of Tallasahatchee, and on November 9th crushed the Creeks in a second engagement. For want of supplies, however, due largely to the failure of the Government to organize properly the staff departments until hostilities had become imminent, Jackson was compelled to lead his troops back to Fort Strother. The militia resolved to go home, but they were stopped by the volunteers. Shortly thereafter the volunteers decided to imitate their example, but were stopped by the militia. Jackson then agreed that, if the supplies did not arrive in two days, they would all march back. When the time was up fulfilment of the promise was demanded, but the General said that, if only two men would remain with him, he would never abandon the post. One hundred and nine responded and were left as garrison, and Jackson started back with the remainder upon the understanding that if the expected supplies were met the troops would return. Twelve miles from the fort they met the supplies (cattle), but the troops refused to obey the order to return. They were compelled to do so by Jackson, however, who seized a musket and barred the homeward road of the mutineers. This ended "the glorious record" of 1813. During the year we were expelled from Canada and our villages on the northern frontier were destroyed.

Campaign of 1814

At the expiration of their terms of enlistment Jackson's soldiers left him and were replaced by new levies, so that it was not

until the 6th of February, 1814 (a loss of six months), that he found himself at the head of an army of 5,000 men. With 3,000 of these he attacked the Indians at Horse Shoe Bend on March 27th, 1814, and destroyed them.

In 1814 Congress, for the first time, showed common sense by extending the term of enlistment in the army to five years. But while it offered a bounty, the amount was less than the States were offering to substitutes, and it was therefore difficult to recruit the regulars. The increase in bounties, as was shown during the Revolution and also during the Civil War, led to desertions.

The regulars during the winter and spring of 1814 were much improved, commanders like Scott and Brown personally teaching their officers the elements of drill so that they might instruct their men. The old incompetents, like Wilkinson and Hampton, were displaced.

In July our army crossed the Niagara; took Fort Erie; gained the victory of Chippewa; fought the drawn battle of Lundy's Lane; fell back on Fort Erie, where it was invested; raised the siege by a successful sortie, and returned to the American shore after demolishing the fort. Although the invasion was a failure, the conduct of the army was entitled to the highest praise.

At the Battle of Lundy's Lane the British force was 5,000; the American, 3,000. The British lost 878; the American regulars, killed and wounded, 691; the volunteers, 57; a total of 748. This was about the first occasion during the war when the American troops put up a square obstinate fight in the open against the British regulars. While both sides retreated after the engagement, in view of the difference in strength the engagement is regarded as an American success.

On the Northern Frontier.—On March 30th, 1814, Wilkinson, with nearly 4,000 regulars, invaded Canada, but was checked by 180 men stationed in a stone mill; and, after sustaining a loss of 154, he retreated to Plattsburg and then retired from the army.

In August, the British were preparing to advance up Lake Champlain and Plattsburg was threatened. In spite of this, by orders from the Secretary of War, General Izard's force of 4,000 men on August 29th marched from Plattsburg, where their presence was indispensable, to Sackett's Harbor, where there was nothing requiring their presence.

On September 11th the Governor-General of Canada at the head

of 11,000 British veterans, who had arrived during the summer, mostly from the Spanish Peninsula, attacked Plattsburg, but the total destruction of his fleet by Commodore McDonough broke his line of communications and compelled him to return to Canada. The depleted American force in Plattsburg was then 3,500. The only thing that saved it, and, in fact, saved New York from the invasion of the British forces was the success of the navy.

It is noticeable that on this occasion, when the cannonading was distinctly audible at Burlington, Vermont, Governor Chittenden, of that State, refused aid to the American forces upon the ground that he had no authority to order the militia to leave the State. A number of the Vermont militia crossed and participated in the fight at Plattsburg in spite of his opposition.

The Capture of Washington.—Although the British fleet, with about 3,000 troops on board, had been hovering along the shores of the Chesapeake for nearly a year nothing was done to protect Washington until the beginning of the summer of 1814. The Secretary of State then ascertained that the regulars in Maryland and Virginia were but 2,208, composed largely of recruits, who were dispersed at various points from Baltimore to Norfolk. This situation was presented to the Cabinet on June 7th, but no action was suggested.

On July 2nd the Tenth Military District was created, comprising Maryland, the District of Columbia and a part of Virginia. The command of this district was given to General Winder, not because he was distinguished professionally, but because he was a native of Maryland and a relative of the Governor and "thus would be useful in mitigating the opposition to the war" —in other words, for his political influence.

On July 4th the Governors of States were requested "to hold in readiness for immediate service" 93,500 men. It was considered too expensive to actually call them out!

General Winder, who had but 700 or 800 regulars, asked that 4,000 militia should be called out and stationed to protect Washington. Finally, on August 13th, after he had been authorized to make a call for 15,000 men and had done so, the militia who responded were mustered on August 21st. This army was 5,401, of whom 400 were regulars, 600 marines, 20 sailors, the remainder being volunteers and militia. Its commander says it was "suddenly assembled without organization or discipline, or officers of

the least knowledge of service." On August 24th, three days after its muster, it was attacked by an advance division of 1,500 men out of a British force of 3,500, and was routed with a total loss of but 8 killed and 11 wounded!

It is noticeable that the men who participated in this panic, as well as those who were involved in the other humiliating disasters mentioned in this article, were in all respects, except discipline and competent officers (two vital exceptions), the same as those who fought in the Battle of Lundy's Lane, and there, out of 3,000 men, 76 officers were killed or wounded and 629 rank and file, and they "held at bay in the open field 5,000 British regular troops."

After the "Bladensburg Races," the British continued their march, captured Washington, burned the White House, the Treasury and the War Offices, and the next day returned unmolested to their shipping.

This scandalous disaster was largely due to the cheese-paring economy of Congress and the President, who refrained from calling out the militia for drill and organization until the time when they were required to fight without them. It resulted, however, in driving from office the Secretary of War, who had undertaken to manage the war himself and to give direct orders to the different commands.

On September 13th the British made a combined land and naval attack on Baltimore, but were driven back with a loss of 319.

During 1814 we called out 38,186 regulars, 197,653 militia, a total of 235,839, against 16,500 British. The utmost strength we could show in the shape of an effective force in battle was 3,000 at Lundy's Lane.

Campaign of 1815

The only engagement of this campaign was the victory of New Orleans, which was won on January 8th, two weeks after the conclusion of the treaty of peace. The British had a force of 14,250 regulars, veterans just sent from England; General Jackson had 5,698 volunteers. The actual attack was a frontal one, made by the British with 8,000 men against strong entrenchments; the British lost 2,100 killed and wounded and 500 prisoners; the Americans 7 killed and 6 wounded. This result was largely due to the indomitable energy of General Jackson, and the remainder

to the wonderful marksmanship of his Kentucky and Tennessee troops, most of whom, it must be remembered, had acquired considerable military experience in the warfare against the Creeks. As Henry Clay, however, said, "It wound up a disastrous and humiliating war in a blaze of glory!" This gave General Jackson a popularity among the masses, which, as was said at the time, "would stand anything." Although there were many who, during his stormy career, differed with him upon political questions, the number of those who could be induced by such differences to vote against "the hero of New Orleans" were few.

The Financial Loss.

The expenses of the War Department during these three years of futile war were $82,627,509.44, which was more than twice what had been spent upon the Army during the twenty-five years preceding 1812. Those of the Navy were $30,286,534.44. The pension bill up to 1903 was $45,186,197, although the people felt so sore over the results that it was not until 1871 that a pension law was passed affecting the soldiers of this war, except those that were disabled. General Upton figures the total cost of this war to have been $198,000,000, excluding pensions.

If Congress had applied a small part of this sum from 1808 to 1811 to maintaining an army of 15,000, capable of being expanded, Canada would have been ours and the war would have been ended in a single campaign. The loss sustained from the failure to acquire Canada is incalculable. In view of this humiliating record, can any lover of his country or any man of common sense question the wisdom of Messrs. Root and Taft, or of Mr. Roosevelt, not to mention the Public Schools' Athletic League and the National Rifle Association, in endeavoring in time of peace to prepare the United States for defence in time of war, or continue to entertain the idea that numbers of untrained men, without skill in marksmanship, make an army, or can defend the country against a small force of well-disciplined and well-officered foreign regulars?

GEORGE W. WINGATE.

PRIVATE PROPERTY AND PERSONAL LIBERTY IN THE SOCIALIST STATE.

BY JOHN SPARGO.

I.

THE most persistent and wide-spread antagonism toward Socialism springs from a belief that, under a Socialist régime, private property in all its forms would be destroyed and personal liberty made impossible by the rule of an immense bureaucratic government. All other objections, it may be said without denying their force, are subordinate to these two.

The modern Socialist, whether dogmatic Marxist or neo-Marxist, indignantly denies both charges contained in this criticism. The greater its persistence, the greater his vehemence. Not unreasonably, he claims the right to define the Socialist ideal in which he believes and to interpret it in his own way: he refuses to accept the *dicta* of the enemies of Socialism as to its meaning. But, in spite of indignant denials, the criticism prevails.

For the almost universal prevalence of this criticism there must be some other reason than malice on the part of the critics. Underlying the seeming malevolence there is always a very real belief in the disaster to the institutions of private property and personal liberty which must attend the triumph of Socialism. Instead of hatred creating the belief that a Socialist régime is incompatible with personal freedom and with private property, the belief, deep-seated and sincere, however mistaken it may prove to be, creates the hatred. It must be remembered, also, that the belief is not confined to the malevolent opponents of Socialism and Socialist aims. Many who are very sympathetic toward the movement and the ideal, a great army of the "almost persuaded," are held back from giving their adherence to the movement through fear that the criticism is well founded.

The existence of such a widely prevalent belief must be the result of causes inherent either in the principles of Socialism or in the history of the movements based upon those principles. It is, therefore, only just that the Socialist, when he makes his sweeping denial that Socialism involves the suppression of private property and personal liberty, should be asked to explain the persistence of the fear he declares to be groundless—and this only as a prelude to an equally just demand for a reasoned statement of his own faith, so different to the unfaith of the world.

The frank and sincere Socialist will be slow to attribute the criticism to malice. He will, on the contrary, be disposed to admit that it is a perfectly natural result of certain phases of the evolution of Socialism and the development of its propaganda. He will admit, with entire good faith, that Socialists have given their opponents ample warrant for believing that with the coming of Socialism private property and personal liberty must cease. No small part of the work of the Socialists of to-day consists in undoing the work of an older generation of Socialists.

Proudhon's famous dictum, "Property is robbery," and its counterpart, "Property-holders are thieves," have been so many times reiterated by Socialists, and so often inscribed upon their banners, that no sort of blame attaches to those persons who, taking the words at their face-value in the currency of human speech, have concluded that Socialism must abolish all kinds of private property. Phrases like "the socialization of property" abound in the literature of Socialism, and in more than a few Socialist programmes, issued in this country and elsewhere, Socialism is objectively defined as "the social ownership and control of all the means of production, distribution and exchange." The definition certainly justifies the belief that the existence of a Socialist state depends upon the abolition of private property.

II.

Taking the definition literally, it is evident that under Socialism nothing which could be used as a means of producing or distributing wealth could be privately owned. No man could own a spade, a hammer or even a jack-knife, for these are all instruments of production. No woman could own a sewing-machine, or even a needle, for these are tools, means of production. No man could own a wheelbarrow, no woman could own a market-basket,

these being "means of distribution." The differences between a spade and a steam-plough, between a market-basket and a delivery van, are differences in the degree of their efficiency merely.

Now, it is quite evident that, if we are to accept this definition literally and to regard "the social ownership and control of *all* the means of production, distribution and exchange" as a *sine qua non* of Socialism, we must accept the verdict that it would destroy the institutions of personal property and liberty. The amount of property which would not come within the scope of the classification, "all means of production, distribution and exchange," is almost a negligible quantity, and it is certain that such a vast bureaucratic system of government would be needed as would practically extinguish personal liberty. It requires little imagination to see how intolerable the despotism would be if needles, spades, sewing-machines and market-baskets were to be under the control of governmental bureaus.

But, when challenged upon this important matter, the modern Socialist denies that the social ownership and control of *all* the agencies of production and distribution is a *sine qua non* of Socialism. He denies that his aim is anything of the kind. Socialism, he says, implies the social ownership and control only of certain kinds of property, certain very definite categories of productive and distributive agencies. Under Socialism, as he conceives it, private property would coexist with social property. Indeed, his claim is that Socialism, in very important respects, would extend both private property and personal liberty.

Therefore, the question arises: What things, under Socialism, will it be necessary to socialize and what to leave in the hands of private owners?

The reply to this question may take either of two forms: either we may attempt to catalogue the things which would have to be socialized in order to realize Socialism—a stupendous task—or we may attempt to state the principle of differentiation in a manner permitting its ready application to any form of property, at any time, and in any place. This latter is, indeed, the only practical method of dealing with the question. Not only is the former method a cumbersome one, involving the gigantic task of making an inventory of all kinds of property, but endless revision of the list would be necessary to make it conform to changing conditions and to the needs of particular localities.

III.

Preliminary to the attempt to state the principles of differentiation, however, a brief discussion of the nature of property seems to be necessary. If we ask ourselves, What is Property? and, instead of repeating Proudhon's classic epigrammatic reply, attempt to answer the question with the seriousness it demands, we shall soon discover that much of what we have regarded as a concrete entity is, in fact, a mere abstraction: that property is not a tangible thing, in a vast number of instances, but an assumed relation. We shall discover, too, that there are no absolute property rights anywhere.

While it is true that the recognition of private property marks the emergence of mankind from savagery, and that civilization is commonly said to rest upon that recognition, the paradox is nevertheless true that civilization and private property, in an absolute sense, are incompatible. The jurisprudence of all civilized countries rests upon the repudiation of absolute property rights of any kind whatever. Taxation is, of course, a familiar example of the collective disregard of private property rights. All kinds of property have been subjected to taxation, the collective authority exercising the right to take any part of any man's property, or even the whole of it. Henry George's proposal to impose a tax upon land values equal to the sum total of such values is a perfectly logical extension of the principle of taxation. A few years ago, the city council of Copenhagen, Denmark, applied the method to the street railways of that city with entire success, so that the owning companies were glad to surrender the lines.

The powers of domain and ultimate ownership which underlie the jurisprudence of every civilized nation prove conclusively that there is no allodial property in land, nor any form of absolute private property. A state or municipality desires land which is the "property" of one of its citizens for some public purpose, such as building a hospital or a bridge, making a park or a roadway. The "owner" of the land does not agree to sell it, whereupon the state or the municipality takes the land from him—often at its own valuation! Even when the land is needed by a quasi-private corporation, such as a railway company, the collective power is used to take away the ownership of the land from one citizen and transfer it to others.

It is very commonly assumed that this power of ultimate

ownership resting in society, through its government, applies only to land; but, in fact, no form of property is exempt from it. Not only may all forms of property be taxed, but likewise all forms of property may be sequestrated. The power exercised in times of martial law, of seizing food and other supplies, is an example of this. Under the police powers of all civilized communities, in case of serious accident or disaster, the home of any person, and anything it contains, may be lawfully seized and used. Suppose that, during the San Francisco earthquake and fire, the "owner" of a supply of food or drugs, or any other vital necessity, should have clung to them, asserting his "ownership," does any sane person believe that he would have been permitted to enforce his sacred "rights" against the need of the community? Nothing, not even one's pocket handkerchief, can be said to be exempt from this ultimate power of society. If, therefore, one's handkerchief is not taken away from him, it is simply because the community does not desire to take it. In the last analysis, private property is an abstraction. It consists of nothing more than a relation between the community and the citizen, and rests upon nothing more tangible than community good-will.

Furthermore, in the development of capitalist society the *substance* of private property tends to disappear, quite irrespective of the enforcement of the ultimate powers of ownership by society. Prior to the formation of joint-stock companies, in the era of individual capitals, the investor who invested his money in a ship or a factory could say that the ship or the factory belonged to him. But with the coming of the joint-stock company and the development of the great industrial corporations, that could not be said. Suppose X to be a shareholder in a corporation which owns a cotton-mill. There are a thousand shareholders owning between them the ten thousand shares of stock of the corporation. X owns ten shares. But he does not own a one-thousandth part of the physical properties of the cotton-mill in any real sense. He could not, for instance, go into the mill and say: "Here are a thousand looms: one belongs to me. I will take it away."

What X really owns is a one-thousandth part of every brick in the building, not a single whole brick; a one-thousandth part of each cog in every machine, but not a single whole wheel; a one-thousandth part of every yard of cotton, but not a single yard of actual cotton. X could not realize his own property, separate

it from that of the other nine-hundred and ninety-nine shareholders and do as he pleased with it. To get at his one-thousandth part of a brick, he must destroy the whole brick. To actually realize his own property as a physical entity, he must destroy it and the property of his fellows. And then, paradoxically (for the whole capitalist system is a paradox), he does not realize it at all. When he has destroyed the brick and extracted his one-thousandth part of it, he does not own a one-thousandth part of a brick, but only some fragments of burned clay.

However we look at it, private property under our present social system is an abstraction. The property of the citizen in the immense assets of the State of New York, or of the United States, is just as real as the property of the shareholder in the United States Steel Corporation. But there is this important difference, that the citizen's share is not negotiable; it may not be transferred. It cannot be gambled with in the market, whereas that of the shareholder in the corporation may be and commonly is.

IV.

Collective ownership is not the ultimate, fundamental condition of Socialism. It is proposed only as a means to an end, not as an end in itself. And that end, to the attainment of which collective ownership is the means, is the fundamental condition of Socialism. The central idea of modern Socialism, its spirit, is the doctrine of the division of society into antagonistic classes. The producers of wealth are exploited by a class of capitalists draining from them a "surplus value," and, instinctively, they struggle against the exploitation, to reduce the amount of the surplus value taken by the capitalists to a minimum—ultimately to zero. To do away with that exploitation, to destroy the power of one class to live upon the labors of another class, is the Socialist aim. Social ownership and control are only proposed as means to the attainment of that end. If other means toward that end, quicker, more efficient or more certain means, can be found, there is nothing in Socialism to prevent their adoption.

It follows, therefore, that to make collective property of things not used to exploit labor does not, *necessarily,* form part of the Socialist programme. It is easy to see that, according to this principle of differentiation, it would be necessary to socialize the railroads, but not at all necessary to socialize a

wheelbarrow. It is not difficult to see that a woman might support herself through the possession of a sewing-machine who would otherwise be obliged to submit to exploitation as a factory worker. To secure her the ownership of the machine would, therefore, be no departure from Socialist principles. On the contrary, in her individual case, the aims of the Socialist would be realized in that she would be placed beyond the power of the exploiter of labor. Similarly, in the case of the farmer with a small farm, and of the craftsman with his own tools, or of groups of workers working co-operatively, there is no exploitation; no surplus value is extracted from their labor by any outside parties. Consequently, being neither exploited nor exploiters, their independent self-employment is quite consistent with Socialism.

As the Socialist movement has outgrown the influence of the early Utopians, which touched even Marx and Engels, it has given up the old notions of a regimentation of labor under the direction of the State. It is increasingly evident that the Socialists of to-day have abandoned the habit of speculating upon the practical application of their principles in future society. They are insisting more and more that Socialism be regarded as a principle —namely, the conscious elimination of the power of an idle class in society to exploit the wealth-producers. Whatever tends toward that end of eliminating the exploiter from society contributes to the fulfilment of the Socialist ideal.

Instead of the old contention that, in order to have Socialism, every petty industry must be destroyed by the power of great industrial corporations, and every small farm swallowed up by great bonanza farms of vast acreage, it is now recognized by most of the leading exponents of Socialism in this country and Europe that the small workshop and the small farm may enter very largely into the economic structure of the Socialist State. The small farm has thus far proved capable of more economical cultivation than farms of immense acreage; and it may be, as some authorities contend, that small workshops will prove quite as economical as, or even more economical than, great industries when the thousand hampering restrictions and discriminations and privileges which favor their greater rivals are removed.

Should this prove to be the case, there would be nothing to prevent a process of decentralization of industry taking place under Socialism; a process of decentralization so far-reaching

that private ownership and individual production would be much more diffused than now. The participation of the State in industry would be confined to the operation of railroads, mines and other great natural monopolies, and to the carrying on of the great fundamental public services which rest upon natural monopolies, leaving to individual enterprise and voluntary co-operation vastly more scope than these enjoy to-day in production and distribution. Needless to say, this is not a prophecy, but simply a statement of possibilities.

The important point to be remembered is that there is no principle of scientific Socialism which is opposed to the continuance of private property or private industrial enterprise, so that it involves no exploitation of the laborer by the non-laborer. It needs but the statement of this principle to demonstrate its truth. B is a farmer, working upon his own small farm. He exploits no man's labor, but manages to maintain himself and family in comfort. C is a shoemaker, owning his own little shop and his own tools. He, also, exploits no man's labor, but manages to support himself and his family comfortably. What reason could the State have for forbidding these men to employ themselves, denying them the right to exchange their products, shoes for farm produce, and compelling them to enter industrial or agricultural regiments as employees of the State?

Socialism, it cannot be too strongly emphasized, is not the fulfilment of a great plan of social organization, the principal feature of which is that the State owns and controls everything and aims to administer things with approximate equality of benefits and duties. It is an ideal, objectively considered, of a society in which there is no parasitic class preying upon the wealth-producers. Subjectively considered, it is a struggle on the part of the producers to throw off the exploiters, the parasites, in order that the ideal may be attained.

Of course, under Socialism, as in every civilized society, private property of all kinds would be subject to the ultimate rule of society. The interests of society as a whole, that is to say, would be regarded as superior to those of the individual. Subject to this superior social right, there is no reason why private property should not be far more wide-spread under Socialism than to-day. Take, for example, the matter of homes. The great mass of the

people do not own their own homes, though there can hardly be any question that the great mass of people desire to own homes of their own. It is conceivable that in a Socialist state of society every person who desired it could own a home for himself and family. On the other hand, it is not conceivable that the State would have any interest whatsoever in forbidding the ownership of homes. Since all families must have homes in which to live, whether provided by the State or otherwise, there could be no reason for the State's insisting upon being the universal landlord. Government ownership of dwellings in preference to the ownership of the dwellings of the many by a few extortioners, certainly: but there is no more reason, so far as the central principle of Socialism is concerned, for denying the right of a man to own his home than there is to deny him the right to own his hat.

V.

From the foregoing it will be seen that not only does Socialism not involve the abolition of all private property, but that, on the contrary, a wide extension of private property is quite compatible with Socialism as taught by Marx and his followers. It is not an insignificant thing that the Socialist party of the United States, in its national platform of 1904, charged that "Capitalism is the enemy and destroyer of essential private property." The Socialist protest against capitalism is that it destroys the economic independence of the producers. The restoration of that independence is the grand aim of all Socialist endeavor.

Failure to recognize with clearness the principle set forth in the foregoing pages produces inability to distinguish between Government ownership and Socialism. Many persons marvel that the Socialists do not hail with gladness, and join forces with, the various movements aiming at public ownership as they arise, and thus achieve Socialism piecemeal. Every proposal to extend the area of Government ownership and management is at once hailed as a "step toward Socialism." For example, a strong movement arises for the Government ownership of interstate railroads, or of the telegraph systems, and people wonder that the Socialists preserve their equanimity, stand aloof, apparently unconcerned, and decline to join the movement. Such persons confound—as many Socialists do—the external forms of the Socialist programme, its non-essentials, with its fundamental, essential prin-

ciple. They do not see that the form of ownership is relatively unimportant according to the Socialist philosophy.

It is quite as possible for a Government to exploit the workers in the interests of a privileged class as it is for private individuals, or quasi-private corporations, to do so. Germany with her state-owned railroads, or Austria-Hungary and Russia with their great Government monopolies, are not more Socialistic, but less so, than the United States where these things are owned by individuals or corporations. The United States is nearer Socialism for the reason that its political institutions have developed farther toward pure democracy than those of the other countries named. True, in Germany, Austria-Hungary, Russia and other countries of the Old World, there is a good deal of Government ownership, but the Governments are class Governments and the workers are exploited for the benefit of the ruling classes. Obviously, the workers are no better off as a result of changing the channel of exploitation merely, while the amount of exploitation is left unchanged. The real *motif* of Socialism is not merely to change the form of industrial organization and ownership, but to eliminate exploitation.

To sum up: the whole matter may be very briefly expressed in the form of a declaration of principles, as follows: Socialism is not hostile to private property, except where such property is used to exploit the labor of others than its owners. The socialization of property in the Socialist State would be confined to (1) such things as in their nature could not be held by private owners without subjecting the community to exploitation or humiliation; (2) such things as the citizens might agree to own in common to attain superior efficiency in their management.

VI

Granted the foregoing conclusions, it is evident that the fear of a huge bureaucratic Government as an inevitable condition of Socialism loses its force. Such a bureaucracy might be created, it is true; but it would not result inevitably from the amount of administrative work involved in the management of all property and "all the means of production, distribution and exchange." In fact, there is no good reason for disbelieving the claim made by modern Socialists that the amount of Government control over the individual would be far less than we are now accustomed to.

In this connection it must be remembered that the regulation of capitalistic property in modern society, especially in the great social services—such as the railroads, lighting companies and the like—involves an enormous amount of government which, under such a condition as that suggested as belonging to Socialism, would be wholly superfluous. When one thinks of the tremendous amount of legislative and administrative effort which experience, not theorizing, has shown to be requisite for the restraint of capitalist enterprise, the mind is staggered by the stupendous total. No one knows, for it has never been computed, how much it has cost the United States during the last ten years to "regulate" the railroads in their relations to the public. This much we do know—that it has been found necessary to enact an immense body of legislation for the regulation of capitalistic enterprise. To enact this legislation has cost an enormous sum of money: to enforce it has cost a great deal more in the way of maintaining an army of inspectors, judges and officials of one sort and another.

It has been said in criticism of the methods of conducting our public services that the amount actually spent in doing the work is in many cases only a fraction of the total cost. To illustrate: the actual operation of a street railway, including the men who make the cars and lay the tracks, the men in the power-house, motormen and conductors, is said to represent less labor than what may be called the bookkeeping of the railway—the army of "spotters," inspectors, collectors, cashiers, clerks, bookkeepers, accountants and the like. Most of these workers are in reality parasites; their labor is only rendered necessary by the preying of private interests upon the body social.

Similarly, it may be said that much of our Government is in a like manner parasitic, rendered necessary only by the preying of private interests upon the body social. The socialization of all the natural monopolies and the restoration of economic independence to the great mass of the people would render obsolete an astonishingly large body of laws, many of them irritating and humiliating to a degree that is oppressive, and would turn a large army of workers from parasitic to genuinely useful occupations.

Every abuse of capitalism calls forth a fresh instalment of legislation restrictive of personal liberty, with an army of prying officials. Legislators keep busy making laws, judges keep busy

interpreting and enforcing them, and a swarm of petty officials are kept busy attending to this intricate machine of popular government. In sober truth, it must be said that capitalism has created, and could not exist without, the very bureaucracy it charges Socialism with attempting to foist upon the nation.

There is, then, nothing in Socialism itself to warrant the assumption that it would enthrall the individual to the yoke of a bureaucratic government. There is no reason for regarding as impossible and absurd the assumption that, under a Socialist régime, the bounds of personal liberty would be greatly extended and the scope of government greatly narrowed. Whatever views one may entertain concerning Socialism, either as an ideal or as a movement, it is necessary and just to weigh seriously the claim, made in the national platform of the Socialist party for the year 1904, that it is "the only political movement standing for the programme and principles by which the liberty of the individual may become a fact." And, further, that "it comes to rescue the people from the fast-increasing and successful assault of capitalism upon the liberty of the individual." That claim cannot be waved aside by mere rhetoric, nor silenced by abuse. The fact remains that Socialism menaces neither private property nor personal liberty. There is nothing inconsistent with Socialism in the idea that Government interference with the individual should be as little as possible.

It will be said, doubtless, that the principles and the programme here sketched are those of Individualism rather than of Socialism as commonly understood. Granted that they satisfy the man who calls himself an Individualist, they are not therefore anti-Socialist. Socialism is not the antithesis of Individualism—except Individualism of the "Devil-take-the-hindmost," *laissez faire,* school. To that crude form of individualism, so-called, which accepts the doctrine that "Might is Right," under which the assertion of one man's might destroys the individual liberty of others, Socialists are opposed, just as the enlightened Individualist must be opposed. To the Individualism that is based upon equality of opportunity, the absence of privilege and the destruction of all artificial inequalities, so that Nature's inequalities alone manifest themselves, Socialism is not opposed. Indeed, Socialism comes as the fulfilment of that ideal.

Ninety-nine out of every hundred persons discussing this sub-

ject not only regard Socialism as the antithesis of Individualism, without any qualification whatsoever, but they make the far more serious blunder of regarding the present social system—if, indeed, one may use the word "system" to connote our industrial anarchy!—as a system of Individualism. Nothing could be more fallacious than this. The Individualism of the Fathers of the Republic, particularly of Jefferson and Samuel Adams, bears no relation to our present system with its ramifications of privilege. Free competition between man and man belongs to the concept of Individualism, but not so the competition, so-called, which takes place between the corporation and the individual. To make an artificial person, for legal purposes, of a great corporation such as the Standard Oil Company, and then to regard a struggle between it and an individual refiner or dealer as "free competition," is to do violence to language and reason.

Illustrative of the confusion of thought upon this subject which pervades all ranks of society, we have the declaration of the Ohio Republican Convention, in asserting the claims of Mr. Taft to be the successor of President Roosevelt, that the issue in American politics in the year 1908 is "Individualism against Socialism"—the Republican party and Mr. Taft representing Individualism! Could anything be more grotesque than the application of the word Individualism to the Rooseveltian policies? Could the word be more abused than by its application to the Republican party programme? If Socialism represents one side of the issue fought out in our national politics last year, the other side is not Individualism, but Capitalism with its privileges, its invasions of personal liberty, its artificial inequalities and its economic servitude of class to class.

The Socialist ideal may be vain and chimerical, but no thinking person can deny that the influence of the ideal upon masses of our citizens is a wholesome one. The political Socialist movement may spend itself blazing trails for others to follow, opening a way to a promised land it may not enter; but the world will be the better for its existence. Fanaticism, in the name of Socialism, and under its banners, may seek to do away with private property and personal liberty; but that will be a caricature of the Socialism for which so many millions of earnest men and women in all lands are living lives of consecrated sacrifice.

JOHN SPARGO.

CUBA'S FUTURE.

BY H. A. AUSTIN, FORMERLY CHIEF CLERK IN THE OFFICE OF THE CHIEF OF STAFF IN THE ARMY OF CUBAN PACIFICATION.

THE aid of the United States in the internal affairs of Cuba has again been requested by the President of that Republic, and in compliance with that request the Administration at Washington has decided to detail three United States Army officers for duty in Cuba to undertake the work of creating an effective, well-drilled and well-disciplined Cuban army. The wisdom of this action is conceded by all, especially by those who are familiar with the sentiment prevailing amongst the Cubans, and it is believed to be but one move in a game played under the surface by a certain class of residents in Cuba.

When the United States troops were sent to Cuba in October, 1906, it was with the avowed purpose of restoring and maintaining peace until the country should be in proper condition to hold an election and secure a President and other officials to administer the affairs of state. At that time the Cubans generally accepted the declared intentions of this country as sincere. But the prospect of a lasting and peaceful republican form of government for the island was not seriously considered by many of the better classes of citizens—that is, the merchants, professional men, planters, and others. These classes were frank in stating their belief that the island would never be able to maintain a republican form of government, for any considerable length of time, without the assistance and guidance of the United States or of some other strong country.

On the other hand, those who professed to believe that Cuba could eventually take care of itself without outside interference advanced the argument, in referring to the failure of the Palma government, that it is unreasonable to expect the island to be-

come a strong and united nation within so few years after its birth as a republic. They argued that all the great nations of the earth have been founded on revolution and bloodshed. They cited the fact that England became the strong nation that she is to-day only after brother had fought against brother, neighbor had burned the home of neighbor, and war and devastation had reduced the nation to ruins. They pointed to the United States as another example of a nation which, for years after its birth as a republic, was turbulent with political dissensions and threats of disintegration, and they called attention to the fact that, even after nearly a century of peace and prosperity, the nation was almost rent asunder by one of the most sanguinary struggles the world has ever witnessed.

Notwithstanding the force of these arguments, the conviction prevailed amongst the higher class of foreign residents in Cuba, as well as among many prominent natives of the island, that a stable republic could never be established; and it was repeatedly predicted by these people, and by some of the representative papers of Cuba, that as soon as the American forces were withdrawn there would be a recurrence of the events which caused the United States to send an army of pacification there in 1906; that it would be only a matter of time when the American troops would have to return to restore peace and protect foreign property.

These were the predictions made in 1906; at this time their verification seems imminent, for within a week after the withdrawal of the American army from Cuba an insurrection was started on the island, which, however, for the time being at least, was successfully suppressed.

The Cubans, like some other Latin-American peoples, appear to be imbued with an insatiable desire for revolution; and, while the present President of the Republic seems inclined to rule with an iron hand, it will not be forgotten that, with all the methods of oppression and suppression resorted to by the Government of Spain for many years, that nation was unable to quell the spirit of revolution on the island.

These revolutions will undoubtedly continue to recur, under a republic, so long as the present conditions exist, for the simple reason that it is impossible to create a sufficient number of political offices to satisfy the ambitions of all the political leaders or so-called "generals." The make-up of the Cuban is different

from that of the American citizen. In this country, if a man is removed from office under a change of administration or for other political reasons, he usually takes it as a matter of course, or, if he is defeated at the polls, he either smothers his feelings or lays plans for a future battle of the ballots. With the Cuban it is different. If he is removed from office or loses a victory at the polls, he immediately begins to "agitate"—not by that sort of peaceful agitation which is intended to instruct the people in the principles of the political party or faction to which he belongs, but by that agitation which smacks of personal revenge, which appeals particularly to the lawless element, and brings together in a protesting body the class of citizens who are ever ready to take up arms against the existing government, or to use alleged political grievances as a pretext for committing robberies and other depredations.

That the Liberal party, which fomented the revolution under the Palma government in 1906, had some cause for grievance is undoubtedly true. It is an acknowledged fact that the party then in power resorted to fraudulent methods at the elections in order to retain control of the government. The leaders of that party professed to believe that they were justified in this action, basing their belief upon the theory that their party represented the highest and most educated class of citizens in the Republic, those who were really interested in the welfare and upbuilding of the country, and that, having successfully conducted the affairs of state up to that time, they were justified in so manipulating the elections as to secure a victory for themselves. On the other hand, it may be said that the opposing party contained amongst its leaders many lawless and undesirable citizens, and that, had they succeeded to the administration of the government, they would have made as complete a failure as did the party against which their armed opposition was directed.

When the American forces arrived in Cuba in October, 1906, the country was in a chaotic condition. While the "*insurrectos*" and "volunteers" had presumably turned in all their arms to the American commission created for that purpose, the planters and property-owners generally throughout the island were in constant fear of the sword and the torch of the brigand. A system of blackmail had sprung up in the island which was exceedingly harassing. Armed bands, camped in the mountains, would ap-

proach the owners and managers of large sugar and tobacco estates, and demand the "loan" of a certain sum of money (which they never expected to return), threatening to apply the torch to the fields if such sum was not forthcoming. It is understood that some of the companies owning large sugar plantations set aside a certain amount each year for the satisfaction of these blackmailers, believing it more economic to lose this sum outright than to lose hundreds of thousands of dollars by having their crops destroyed by fire.

During the first days of the late American occupation, daily reports were received of threatened depredations, and a great many requests were made by sugar-planters that small detachments of American soldiers should be sent to their estates for the protection of their property. This the Commanding General of the American army very wisely refused to do. Under his policy the troops were distributed throughout the provinces in larger bodies, and from each station detachments were sent out on "practice marches," covering the country in its vicinity. This had the effect of not only hardening the troops and familiarizing them with the character of the surrounding country, but it had a reassuring influence upon the peaceful citizens and an intimidating influence upon the lawless and evil-doers.

Under this system the conditions on the island became as peaceful as could be desired. The planters were given an opportunity to harvest their crops without menace, financial conditions became improved and everywhere the people assumed their normal vocations and peace reigned supreme.

Realizing that these conditions resulted from the influence of the American army in Cuba, the better class of Cubans—except, possibly, the professional politicians and agitators—regret the withdrawal of American troops and the return to a republican form of government on the island. They would much prefer to see the guardian hand of the United States extended over the island for all time. And ultimately this will be undoubtedly done in one form or another.

If the present Republic falls, and the United States is again compelled to interfere in the affairs of the island, it is safe to say that something more than re-pacification will result. In this connection, two courses are open to us: the annexation of the island or the establishment of a protectorate over it.

As far as the Cubans, generally, are concerned—the rank and file, so to speak—there are few who advocate annexation. There are several reasons for this. In the first place, the Cubans, having for centuries fought for their liberty, and having finally succeeded in obtaining it, would no doubt seriously object to losing their national entity in this way, although they are willing to accept the protecting influence and guiding hand of the United States, provided they can have some voice in the government. It may also be stated that the political leaders realize that, should the United States annex the island, practically all the high-salaried positions would be held by Americans, and this would be very distasteful to the office-seekers, who constitute a large percentage of the population.

While the native sugar-planter has had a period of prosperity since 1903, he has not received much direct benefit from the lowering of the tariff duty; and even if the tariff should be abolished under a scheme of annexation, it would inure to the benefit of sugar interests in the United States rather than to the native Cuban planter. What the latter desires more than anything else is the assurance that peace will be maintained on the island; he will in that event look after the financial end of the business. It is needless to say, also, that the question of annexation would mean a prolonged fight in Congress, as did the reduction of the Cuban tariff in 1903.

The last solution of the question—that is, the establishment of a protectorate—seems to be the most logical and probably the easiest to consummate.

In the administration of their government, there are three conditions which the Cubans desire to prevail: First, security from foreign invasion or interference; second, a force adequate to suppress interior disturbances; and, third, opportunity to hold a reasonable share of the public offices under an independent government. They believe that these ends can be accomplished with least difficulty through an American protectorate, and this scheme would undoubtedly meet the hearty approval of the Cubans at large. In Cuba it is discussed more than any other proposition, for it would not injure the pride of the people, it would allow them to hold office under the government, it would assure peaceful conditions on the island and prevent encroachment or invasion by any other foreign nation. By this means, also, the tariff

question could be allowed to remain *in statu quo,* and thus any opposition could be allayed that would otherwise arise from the sugar, tobacco, fruit and other interests in this country.

This scheme could be carried out in two ways, either of which would entail but slight cost to this Government or to the Cuban government.

During the late occupation the United States maintained between five and six thousand troops on the island, and that number proved to be entirely sufficient to assure peace and protect public and private property. Should this Government establish a protectorate over the island, a force of approximately the same size could be stationed on the island, the Cuban government being required to pay the increased expense incident to the service of our troops in that country, so that the United States would be at no loss in this respect.

It is believed, however, that the better method to pursue would be to utilize the present Armed Forces of Cuba, which consist of the Rural Guards and the Artillery Corps, numbering about 4,500 officers and men. This force, while having a military organization, is lacking in training and discipline. With these faults corrected, the armed forces of the island would undoubtedly be able to meet the requirements of the case. The reorganization and training of these forces would be a matter of time, and it can be accomplished without much difficulty by the three United States army officers who have recently been detailed for this purpose; the officers to take charge of the military establishment until such time as experience showed that the Cuban army could permanently maintain peace at home. Owing to the close proximity of the United States to the island, and the recognized policy set forth in the Monroe Doctrine, the subject of foreign invasion need not be considered at this time.

The scheme of instruction by American officers, suggested above, has been successfully tried before. When the Artillery Corps of the Cuban Armed Forces was organized in the winter of 1901-02 an American artillery officer was detailed as instructor, and through his efforts that branch of the military service has been brought up to quite a high state of efficiency. This policy would probably entail a smaller expenditure of money by the Cuban government than would the policy of keeping our troops on the island for any length of time, and in case it should be

found expedient at any future time to again turn over the government to the Cubans *in toto,* it would be an easy matter to recall our officers to this country to resume their normal duties.

Should the present force of 4,500 troops be found insufficient to carry out the purposes set forth above, there is a law now on the statute-books of Cuba authorizing an increase of the Armed Forces to about 12,000, and under this law additional troops could be recruited until the number was obtained which would assure success.

In addition to the detail of American army officers to instruct and train the military forces of the island, it would probably be wise to appoint a sufficient number of experienced men from this country to act as advisers to the various civil departments. During the late occupation army officers were so detailed with wonderful success. Or the policy of Great Britain in Egypt might be followed, by granting authority to the American Minister to act as an adviser to the head of the government of Cuba, and to the American Consul-General to oversee all matters relating to the finances of the country. While England has never declared any definite policy in regard to Egypt under British suzerainty, that country has become a progressive and prosperous nation where corruption and decay once existed; and what has been accomplished by England in Egypt can certainly be accomplished by the United States in Cuba.

Under such a policy the future of Cuba need never be in doubt. With a stable government and peaceful conditions existing on the island, with its fertile soil and other natural physical advantages, Cuba, in reality as well as in name, would become the "Pearl of the Antilles."

H. A. Austin.

THE AMERICAN BOY AND THE AMERICAN MECHANIC.

BY REAR-ADMIRAL GEORGE W. MELVILLE, U.S.N. (RETIRED).

AMERICANS are frequently taken to task by people of other nationalities for boasting about their country; and indeed, with a country possessed of the greatest natural advantages, a mixed breed of men, originally of the best and the bravest, and the best form of government which has thus far been devised, it would seem that our pride is not without justification. In recent years, however, a note of warning has been raised by careful observers on the material side of things, and these warnings finally culminated in the Congress of Governors held at the White House under the auspices of ex-President Roosevelt. At this Congress the necessity for economy in the use of our natural resources was most strongly emphasized, and it was pointed out very clearly that we could not hope to maintain our pre-eminent position in the world if we continued to deal with the material gifts of nature in such a spendthrift fashion as has been our custom up to the present time.

Every sincere patriot will commend most heartily this attention to our material welfare; but it seems to me that there is a personal element which is of even greater importance, the neglect of which will bring about our national decadence just as surely as the waste of natural resources.

As I read history, the nations which have neglected the nurture of the skilled artisan have finally met with disaster or fallen into decay; this, of course, presupposes that the development of the mechanical arts is not coincident with a loss of manly courage, as was the case when the Turks destroyed the Roman Empire in the east and the Goths destroyed it in the west. In recent times, certainly, we have had a marked illustration of the correctness

of this statement in our own Civil War, the mechanical arts having been almost entirely neglected by the South; and, more recently, in the war with Spain, where a vital factor in the collapse of the Spanish Navy was their incompetence as mechanics.

I am proud of the fact that I have been a mechanic all my life. I started as an apprentice; and, after completing the course, took up the mechanical side of the military profession as an engineer in the Navy. This means that I have been in close touch with the mechanic and his work for fifty years and have studied the question from all sides. In my younger days the skill of the American mechanic was the subject of frequent praise, which was thoroughly merited. I do not believe there ever was a more skilful lot of mechanics than those who were born in this country and passed through the usual apprenticeship fifty years ago or more. They were ready to turn their hands to anything, and the great mass of inventions which are proving so useful to-day is the fruit of their work. In recent years, however, I have noticed with great regret that our machine-shops and manufacturing establishments are coming to depend more and more on mechanics of foreign birth, who received their training before coming to this country. While immigration has been very large, the skilled mechanics have certainly not formed the bulk of it, and the reason for the reduction in the percentage of native-born American mechanics must be sought elsewhere. One very important cause is the limitation of the number of apprentices which has been brought about by the action of the Trades Unions. Many other observers have called attention to this condition, and have pointed out the folly of American workmen in deliberately preventing their boys from qualifying themselves for a good position in life by becoming expert craftsmen. The immigration of skilled foreign workmen is not limited in any way (and I would not for a moment advocate any such limitation); but the Trades Union leaders, with that fatuity which seems to have always accompanied such organizations, have tried to keep the number of skilled workmen at a minimum by restricting the training of American boys as apprentices. The foreign workman joins the Union and becomes a very active member of it, in many cases being the very one to prevent the American boy from exercising that liberty of which we are all so fond of talking. In the early days of the Republic, the business man used to boast that he had learned a

trade to fall back on in case of failure in his business pursuit. Many of our greatest men learned trades in their youth.

That the apprenticeship question is one of tremendous importance is shown by the substitutes which have been attempted by patriotic and benevolent citizens, who realize the necessity of skilled workmen of native birth, and who, to avoid the constant fight with the Unions, have attempted to get the final result in another way by establishing various forms of Trade Schools. I have no doubt that, so far as instruction is concerned, from the scientific standpoint, the Trade Schools do more for the boy than the old form of apprenticeship where there was no systematic curriculum and where the apprentice had to pick up what he learned. There is one great danger, however, in all schools where the primary aim is instruction rather than, as in a real factory, production. There is a strong tendency for the boys to forget that they are to be trained for handicraftsmen and to dream of becoming engineers or gaining some other position where they will not have to work with their hands.

Now, I would be the very last person in the world to discourage a boy's ambition; if he has it in him to rise to a higher position, well and good. At the same time, there is no doubt whatever that his thorough training as a skilled workman will give him a foundation for professional work which it is hard to over-estimate. As a matter of fact, a skilled workman to-day in the majority of trades can earn more money than the average clerk; and, if he has been properly trained, he will be proud of his work.

I am not altogether prepared to outline a complete scheme of apprenticeship; but I do believe that there should be no limitation as to the number of apprentices, and further that their training in the shop work should be in a shop or factory where work is done for a profit. I know that various methods are being tested somewhat along this line—notably a recent scheme in Cincinnati for the education of young engineers, where the theoretical work of the course is done in the college but the training in the use of tools is a part of the regular shop system.

Several of our largest manufacturing firms have very complete apprenticeship courses, but these are to give shop training to college graduates who are to occupy high positions in the office force. Some have also courses to teach boys the trade, and this is the particular work which I am now discussing. In some instances,

these courses are very carefully laid out and are under the special care of a superintendent chosen for his ability in this line. The fact, however, that these special cases stand out so prominently only serves to emphasize the point I am making, that the training of lads to become skilled mechanics is no longer a regular part of the work of every shop, but that it has become moribund, until the more progressive managers have waked up to the fact that they must provide for the future.

I do not want to be unfair to the Trades Unions, and undoubtedly they are not alone to blame. The growth of large factories, where automatic machinery enables an untrained man to acquire quickly the ability to be a machine-tender, and where there is so much work for each class of machine that even a highly skilled man passes all his life handling one kind of machine, has led managers who are thinking only of profits (and most of them are driven to this by non-technical Boards of Directors) to plan only for the present and to fill their shops with any workmen who can handle the machines. In the long run, however, such a course cannot succeed.

There is still another aspect of this subject which merits attention and which, as time goes on, may become serious. In a Republic like ours, where efficiency depends on the intelligence of the electorate, it has rightly been deemed of vital importance that the education of the children should receive most careful attention. "The little log schoolhouse" is most affectionately remembered, and many of our great men received most of their instruction in such humble places. With increased wealth, the public schools have extended their curriculum until the higher grades are giving what was a college course not many years ago. It goes without saying that a successful professional man stands higher socially and is better off financially than the skilled mechanic. Naturally, therefore, if it is made very easy for the boy to get such an education, the parents are tempted to sacrifice themselves to help him to get it, the result being that too many men with professional training are turned out for whom there is nothing to do. In the language of Scripture: "He cannot dig; to beg he is ashamed." In other words, many successful mechanics are lost in the unsuccessful professional men. The way to the professions should not be made too easy. Ambitious boys, who will make a success, will make personal sacrifices and

do the hard work necessary. What we must guard against is making the securing of a higher education so easy as to encourage boys to take it who have not the qualifications to succeed.

This is not a novel thought, by any means. That eminent educator, Goldwin Smith, who was one of the famous faculty at the founding of Cornell University, after many years' experience as a teacher, and with the heartiest sympathy for making education as far-reaching as possible, announced some years ago that he had very reluctantly reached the conclusion that it was a mistake to make it too easy for all to have university training. A practical illustration of this very point was called to my attention some years ago by a very keen Scotch engineer who had spent a long time in Greece. In that small country it is very easy for almost any boy to go to the university, with the result that there is a superabundance of lawyers. As there is not enough regular business for them they drift into politics.

At the Conference of Governors, Mr. James J. Hill called attention to the inefficient way in which agriculture is prosecuted in our country; and it seems to me that something of the same sort is true about our manufacturing when we are neglecting this vital element of the proper training of young men to fill the places of the older ones. Our country is becoming more and more a manufacturing country, and, that being the case, the natural calling of a large proportion of our boys should be in the mechanical arts. If we permit a policy to obtain which will prevent the American boy from exercising his inherent liberty of choosing a trade and constantly depend largely for skilled mechanics on foreign immigration, a large part of our boys will be driven into the ranks of unskilled laborers; and if we foolishly encourage boys who ought to be mechanics to try to become professional men, we shall simply breed petty clerks and loafers.

No true American can possibly contemplate such a condition of affairs without serious apprehension, and I have written this brief article in the hope of attracting still greater attention to the subject, especially as the views expressed come from one whose active work is nearly over, who has no personal interest in the matter whatever, and who is actuated only by pride in the work to which his life has been given and by love of his native land.

GEORGE W. MELVILLE.

STEVENSON'S PRAYER-BOOK.

BY RICHARD BURTON, PROFESSOR OF ENGLISH LITERATURE IN THE UNIVERSITY OF MINNESOTA.

I DRAW from its handsome case of green crushed levant a little book, faded from its original proud purple to a nondescript brown, and entitled "Family Prayers," by the author of "The Faithful Promiser," "Morning and Night Watches," etc. The publisher's imprint is that of James Nesbit & Company, London, the year of publication 1853. A commonplace volume, surely, whether one looks to external garb or literary content. A prayer-book of over half a century ago, bound in sober cloth, undistinguished in paper, print or binding, is no such matter.

But stay, gentle reader. We are not come to the heart of this business yet. Human associations gather about this ordinary volume to give it spiritual significance. It is the most precious item in my library. For on a blank page is written, in a large flowing hand, the name of Thomas Stevenson; and turning to the fly-leaf (already with a quiver, mayhap, of expectation), one discovers a visiting-card affixed thereon which reads:

> Mr. Robert Louis Stevenson,
> Athenæum Club,
> Skerryvore, London.
> Bournemouth.

By this time those who are sealed of the tribe of Tusitala know full well why this homely book is to its owner of inestimable worth; and, forsooth, an object of interest to all bibliophiles the world over. Stevenson's father, as the signature shows, acquired

the volume presumptively when his famous son was a mere lad—for he was but three when it was published. And in the fulness of years, when Louis was a young man already beginning to drift from the orthodoxy embodied in the Prayer-Book, it came into his possession and was apparently used much and made his own, as the pages with their pencilled marks in his own handwriting testify. Inserted between the leaves are sundry ferns, which upon expert botanical analysis reveal themselves as tropical beyond peradventure, and so point to the conclusion that Stevenson had the volume with him in the final years in Samoa; while the visiting-card suggests his possession of it in an earlier portion of his career. The volume also contains, to augment its interest and value, two sheets of mourning letter-paper, upon which are inscribed, in the elder Stevenson's large hand: "Passages of Scripture to be read in connection with each other"; the references which follow filling five pages, now yellowed by time. Furthermore, there is at least one insertion in the son's hand, while certain pencilled additions in yet another hand suggest the novelist's mother,—that devoted mother who so valiantly followed him to the far-lying Southern islands which were to be his "long home."

With this Prayer-Book before us, how easy to conjure up a picture of the family group in the Heriot Street house in the central part of gray old Edinburgh. That residence—"a substantial house of gray stone built with the solidity so customary in Scotland; looking across the Queen Street Gardens, where the lilacs bloomed in spring and the pipe of the blackbird might be heard, while from its back windows could be seen the hills of the Kingdom of Fife"—was the third occupied by the Stevensons during the life of Louis. Thither they removed when he was seven, and it is that mansion which, amply described by him and others, we associate with the writer, boy and man. In an upper story was his small suite of rooms, one of them originally his nursery; it was here he grew up, attended not only by his mother, but by Cummy, that wonder among nurses, whose memory is so fragrantly intertwined with those flowers of the imagination, "A Child's Garden of Verses." In this house, doubtless, God-fearing and regular as it was, the prayers in the little brown book must have been read aloud many a morning, delivered with all the picturesque unction we know Thomas Stevenson to have possessed, from more than one description left by the son. One longs to

find in the mass of *memorabilia* which Robert Louis gave to the world some direct chronicle of this book, some hint of its use or token of its presence. But none such, I fear, can be found; at any rate, my search has been in vain. It must remain for the mind's eye to see the Heriot Street group listening from day to day to the words of worship drawn from the "Family Prayers."

The visiting-card, witnessing to the fact that in due time the little volume passed from father to son, is also an evocation; it recalls a three years' section of his life, momentous to himself and, in truth, to late nineteenth-century letters. It was the period of his mid-manhood, when, from thirty-four to thirty-seven years of age, he lived the life of an invalid at Bournemouth, in the house which his father, then fast aging towards death, had presented to Mrs. Stevenson, and upon which the name "Skerryvore," signifying the most beautiful of the lighthouses built of the family firm, had been appropriately bestowed. Stevenson, with that pathetic capacity of his for pleasure in the good things of fortune, had been vastly delighted over this gift and enjoyed to the utmost the family installation in their new demesne. It is described by Mr. Balfour as "a modern brick house, closely covered with ivy; from the top windows it was possible to catch a glimpse of the sea. There was one-half an acre of ground, very charmingly arranged, running down from the lawns at the back, past a bank of heather, into a chine or small ravine full of rhododendrons and at the bottom a tiny stream." As for the author's childlike delight in the house, take this very characteristic bit from the Letters: "Our drawing-room is now so beautiful that it's like eating to sit in it. No other room is so lovely in the world; there I sit like an old Irish beggar-man's cast-off bauchle in a palace throne-room. Incongruity never went so far; I blush for the figure I cut in such a bower."

From the view-point of literary creation, this fragment of his life was one of the most brilliant—perhaps the most brilliant—of his whole career. It was during these three years at Skerryvore that he gave forth the "Child's Garden," "Prince Otto," "Dr. Jekyll and Mr. Hyde" and "Kidnapped"—a quartette hardly to be matched by any other four books he produced. But, alas! his health steadily declined; seldom was he able to go up to London and make use of The Athenæum Club, of which, as his card indicates, he was a member, there to meet Colvin, per-

haps, or Lang or Henley, friends and cronies all. For the most part, he could not pass the confines of his own grounds. Hemorrhages were frequent and violent; an enemy "who was exciting at first, but has now, by the iteration of his strokes, become merely annoying and inexpressibly irksome," is his own comment.

Then, too, his father, who came down with his wife to live at Bournemouth in the autumn of 1886, in order to be near the son for the ensuing winter, rapidly failed and died in the next spring, his condition, mental as well as physical, being sad indeed. So that Stevenson's day darkened at this time in more ways than one. So poorly was he that, when summoned to Edinburgh by his father's passing, he went there, but was unable to attend the funeral because of a severe cold he had contracted. Yet the impression one gets of this period from the Letters, and from various other biographical testimony, is by no means one of gloom or discouragement; the incorrigible zest of life was always there: the keen interests, the gayety, the nobler interpretation of that "Sufficient-unto-the-day" creed which is so valuable for this workaday world. Dear friends of his—men like Henley and Fleeming Jenkins—were often at Skerryvore, and many were the revels and junketings of which it was the centre, despite the frailty of the Master. And to end with the brighter side, it was the books begun or completed at Bournemouth upon which his reputation most securely rests. The imagination kindles at the thought that, could we have sat with Stevenson in his much-admired drawing-room, or still better, beside his bed up-stairs during one of the enforced sojourns in "the land of counterpane," we might have picked up casually from the nearest table the little prayer-book now before us. Surely it had tales to tell of Skerryvore and its doings. Often it must have been in hand, one deems; as likely as not it was read from daily, in private devotion or family worship—we know such to have been the Samoan habit, and the proximity of the parents in that last Bournemouth winter makes it the more probable. But the brown book, however lovingly entreated, will not unlock its secrets. We must content us with inference and guess.

In view of his own unique series of fourteen prayers written for household use at Vailima, valued alike by the lovers of literature and the devotees of religious aspiration, Stevenson's ownership and use of this paternal volume takes on a special significance.

One's curiosity is piqued by the question whether, in any traceable way, he was influenced by the family heirloom in the penning of his own petitions. Were there unconscious echoes of the cadences falling so early on his ear, in the more perfect prose rhythms of the prayers he wrote while he lived in the South Seas? It hardly seems whimsical to believe that there may be some connection between the two: for his cousin, Mrs. Napier, writes: "In the Vailima prayers I seem to hear again an old melody that I know well—the echo of his father's words and daily devotions." It would be going too far to assume that this refers only to the impromptu contributions to the home worship by Thomas Stevenson. It may well be that the prayers of this very volume were in mind. There are, at the end of the book of "Family Prayers," a dozen prayers for specific occasions, and it is but natural to read these side by side with Stevenson's own, in the hope that some parallel may be discovered suggesting direct influence. But no such result follows. Indeed, Stevenson's contribution to precatory literature is distinguished above all else by its unconventional handling, its complete dismissal of the orthodox terminology and mental attitude which characterize the "Family Prayers"; and also by its special adaptation to the setting of the habitat at Vailima—as illustrated, for example, by the two prayers entitled "In Time of Rain." No more striking illustration of the difference between the elder and younger generation in the matter of religious faith and religious consolation could be found than that afforded by these two sets of invocations. Reading those composed by Stevenson, one feels that for the man of our day there have come, verily, a new heaven and a new earth. And one also feels that in the spirit of worship, although the form be changed, the new is full as vital and deep as the old. It is the personal, the individualistic note you hear, as against the traditional and associative in the things of God.

But there are other features worth mentioning about the copy of "Family Prayers." Noticeable at a first reading is the excellence of its manner, the harmonious, even high beauty of the language in which it is couched. The prayers are independent in form of the unsurpassed English Book of Common Prayer; but for taste, fitness and literary felicity they are such as one would expect a household like the elder Stevenson's to accept with sympathy. One can easily believe that so fastidious an artist of word

and phrase as the son would have been loath, even for purposes of religion and with whatever glamour of parental inheritance, to use a book, as he evidently used this one, which did not possess value of text as well as of tone. Albeit the orthodoxy of the volume is soundly old-fashioned, there is naught of the cheap and common to offend the taste.

One also notes the frequent work of the pencil, dividing off portions of a particular prayer as of special worth or application; and this expression of preference is interesting. A little examination shows that the impromptu editor, whether father or son, has invariably chosen what was most happy in manner or noblest in thought and feeling. Several times, for example, in an invocation for the welfare of the family, the allusion to the servants is stricken out. Thus: "Bless the members of this household. May they walk before Thee with a perfect heart. May the young be enabled to adorn the doctrine of God their Saviour in all things. May the servants be enabled to live out and act the lofty motto, 'We serve the Lord Christ.'" The final sentence is erased. Again, in another prayer, the text reads: "Bless us who are now surrounding Thy foot-stool, whether as master or servants"; and, as before, the final clause is pencilled through.

Does this mean that in the Edinburgh home the kitchen folk were not bidden into the fore-room worship; or that Stevenson down in the Samoan Islands, with his dusky servitors around him, did not wish to use the servile word? For it is not unlikely that this book was commonly read in the Vailima house before its master had indited his own prayers, or that they were merely supplementary to it. Whatever be the truth, there is a pleasant thought in the avoidance of the word suggestive of servitude.

Full of interest to the student of literature are the occasional comments and corrections that look to an improvement in the form of these printed prayers; just what we might have expected from Stevenson, whose ear was so sensitive to the subtleties of English speech. We should not wish the author of the "Christmas Sermon," "Prince Otto" and "Weir of Hermiston" to overlook, even in the mood of essential imploration, the distinction between "shall" and "will," "should" and "would"—a distinction, by the way, which the modern newspaper is rapidly obliterating from the public consciousness.

It has been said that the Scotch, as compared with the English,

are insensitive to this difference in speech forms; an idea which the student of historical English can easily rebuke and which the habit of the finest Scotch writers—Scott, Burns, Carlyle and Stevenson—shows to be unsound. Certainly Stevenson was as exquisitely responsive to such *nuances* of style as is the highly trained musician to close harmonies. In three places he has, plainly in his own hand, stricken out of the word "would" the initial letter and substituted the letters necessary to make it "should"; thereby changing a mood of volition to one of conditional futurity, where the latter was clearly the intention of the pious framer of the prayers. It is characteristic of Stevenson to take offence at this little jar, one of the imperfections of expression which, it may be feared, many to-day even of the writing craft could have let go by without a protest—and small wonder in view of the shoddy English dinned incessantly into our ears! It will do no harm to quote these passages that the illustrations in their altered form may be before the reader:

"Had it not been for this inconceivable stoop from the infinite, where *should* we have been this day?" A little reflection will show that conditional futurity, not modified willing, is what the Prayer-book means to convey, and therefore "should" is alone correct. And again: "Were we to be judged by the duties and doings, the sins and shortcomings, of any one day of the passing year, we *should* be righteously condemned." Here the intended expression of futurity is secured by the change. Once more in the sentence: "Where *should* we be at this hour, O *God*," etc., the pious author wished merely to imply futurity, not desire, hence Stevenson's substitution is perfectly sound. The interesting point in the three cases is, we may reiterate, the indication that even in what may be called the non-literary mood, the trained ear and the nice taste of the great essayist and story-maker could not abide false notes.

Several other changes or interpolations are likewise of interest. In one case the text reads: "We come anew on this the evening of Thy Holy Day," and there is an insertion after "We come" to make it read: "We come before Thee," the gain in correctness being obvious; here the instinct of the stylist is again at work.

A grossly careless passage which is set right is the following: "Let each feel that we have some work to perform"; the amended reading, of course, being: "Let each feel that he has," etc. And

in another place, where the original runs: "May they repose their bleeding bosoms on Him"—which smacks of the crude anthropomorphic imagery of the older theology — the objectionable words, "their bleeding bosoms," are erased.

These are the only emendations, and the small number testifies in itself to the generally admirable style of this manual for family worship which was so long in the Stevensons' possession. The book had to run a double gauntlet, for Thomas Stevenson, too, was a man of most fasitidious literary taste.

How we would like to have revealed to us the complete history of the little brown book! What stories it might tell of father, son and mother, of gray Edinburgh, of the long wash of Pacific waves, of all the shine and color and alien charms of Vailima, if only its now yellow pages might murmur of the past. But it is something to possess it, to feel sure that it was handled, carried, often used by the man who has become to many of us something more than a distinguished writer, one of the chief ornaments of late Victorian literature; "that's the world's side." To the true-blue Stevensonian he is a friend and brother, listening to whose vibrant voice we are moved to deep love, and braced by whose sane and winsome doctrine of life we can face the struggle unflinchingly, and with a high heart.

RICHARD BURTON.

MODERNISM MEDIATING THE COMING CATHOLICISM.

BY PROFESSOR CHARLES A. BRIGGS, DD., D.LTT.

MODERNISM still continues to agitate the Roman Catholic Church, and will continue its work until it accomplishes its Providential mission. It is, indeed, in some respects the most important religious movement since the great Reformation of the sixteenth century; for it is not confined to the Roman Catholic Church, but is world-wide in its sweep, influencing more or less all Christian Churches, and in a measure all the great religions of the world. Modernism is, essentially, the spirit of the modern age, and especially the resultant of the many forces which have been working with extraordinary complexity and intricacy during the previous century, and which are rapidly approaching a climax that probably will produce one of the greatest revolutions and reformations of history.

The battle between Modernism and the Papacy is raging all over the Christian world. The despotic attempts of the Curia to crush it have been vain. Some of the most eminent Catholic scholars have been put under the ban, others have been excommunicated; numbers have been suspended from their priestly functions. Many more have been removed from important positions of usefulness to other less important positions where it was supposed they could do little harm. Great numbers have been simply silenced. What does this all amount to, however, but attempts to smother a flame which still burns fiercely? The attempts to scatter it only increase the number of conflagrations.

There are signs that a reaction has already begun. Some of the most distinguished prelates of Italy, France and Germany have rebuked the most offensive spies and detractors of their brethren, whom this sad controversy has brought to the front.

Even the Pope is said to have uttered words of caution. The public press of the world is boiling with indignation because of the arrogant dictation, and impertinent interference with their affairs, of Monsignore Benigni, the protégé of Cardinal Merry del Val, and his "*Corrispondenza Romana.*" There is profound dissatisfaction with the present situation of the Church all over the Christian world, and on the part of some of the most distinguished Cardinals and prelates. It is becoming more and more evident that the Pope has been systematically deceived.

The Pope, nominally the sovereign of the Church, is really now, as previous Popes have usually been, in the hands of a bureaucracy which in its own interests constantly misleads him in the most important matters. A simple-minded, devout man, with the best intentions for moral and religious reform, but without diplomatic experience and inexpert in the detection of intrigues, he remains shut up in the Vatican, carefully guarded from all improper associations, courted by adoring pilgrims and obsequious officials. He does not, and cannot, know any more of the outer world than is strained out to him through the screens of a multitude of flatterers and self-seekers. The few candid and straightforward men who are admitted to brief interviews are drowned, as it were, in the ocean of flatterers, and the frank words of the Pope to these are always denied or explained away in the official journals. As Sabatier says, "One need not be a modernist to be ashamed of this *Camorra* who have practically substituted themselves for the person of the Pontiff, and are clamorously forcing their will upon the Church."

Russia and Turkey, and even Persia and China, have been compelled by the modern spirit to constitutionalize their Governments and so destroy bureaucracy and despotism. It is really impossible for Rome to resist much longer this modern spirit. Rome cannot long remain the only absolute despotism on the face of the earth. What the Roman Curia is now battling for is its own despotic authority. The real secret of its outcry against Modernism is the dread lest Rome may be compelled to tread the footsteps of all modern States.

The Pope has undoubtedly made great reforms, several of which were reported as on the way in my article on "Reform in the Catholic Church" in this REVIEW: such as the reform of public worship in the interests of reverence and dignity; the

reform of the Curia and the reorganization of its congregations to increase their efficiency; the consolidation of seminaries for the priesthood, and the enlargement and improvement of their studies; the removal of the American Catholics from a missionary jurisdiction to the direct Papal jurisdiction; and the recodification of the Canon Law which is about to be published. Few Popes have accomplished so much in a little time. And yet all these reforms have been in the interest of the government and discipline of the Church and in the direction of absolutism and Mediæval conceptions of the Papacy. The Pope has not carried out his programme of restoring all things in Christ. He has been diverted to the bureaucratic interest of restoring all things to the Papacy.

This Mediævalism in government and discipline has inevitably carried with it Mediævalism in doctrines of faith and morals, and so the conflict with Modernism became inevitable.

I. Mediating Modernism. — The Modernists in the Roman Catholic Church are Modernists in that they use modern methods in theology. They do not differ from Mediævalists in the doctrines of the Church, but only in the form and mode of stating them and vindicating them. Mediævalists insist that the scholastic form of the doctrine must be maintained as well as the doctrine itself. This is precisely the same conflict that has been in progress all over the Protestant world between Protestant scholastics and progressive Protestants, between those who insist that the scholastic formulas of the seventeenth century should be binding, as well as the doctrines contained in them. The Protestant scholastics and the Roman Curia see eye to eye in this fight. Progressive Protestants and Catholic Modernists are lined up in the same ranks. It is no longer a battle between Protestants and Roman Catholics.

(1) Modernists use the method of Biblical Criticism and accept its results without hesitation. This method destroys a number of false views of the Bible; but it affects no official doctrines of the Bible of any Church, Roman, Greek or Protestant. Scholastics, Roman and Protestant, agree in the new dogma of the inerrancy of every statement of Scripture which Modernists, Protestant and Roman Catholic, deny.

(2) Modernists study Church History by the methods of Historical Criticism. This destroys a multitude of untenable posi-

tions. We have to do here, not with the Roman Catholic doctrine of the use of apostolic tradition alongside of the Bible as an authority in religion, but with traditional history entirely apart from apostolic foundations. Scholastics, Roman and Protestant alike, insist on traditional history. All Modernists insist upon the elimination of historic fact from the traditional theories in which it is too often shrouded.

(3) Modernists study dogmas by the use of Modern Philosophy. Modern Philosophy discredits the scholastic formulas in which both Roman and Protestant dogmas are encased; it does not discredit the dogmas themselves, but endeavors to set them in modern formulas that can be understood by modern men.

(4) Modernists accept without hesitation the results of Modern Science. They usually adopt the principle of evolution, with its valuable consequences. Scholastics, Protestant and Roman, tend to the opinion, baldly expressed by the late Dr. Begg, that all Theology was given to Adam and Eve in Eden, or at least as a sacred deposit to the founders of Christianity. All Modernists see in Church History a development, or evolution of institution and doctrine.

(5) Modernists advocate a reform of the Church and its institutions in accordance with modern methods of government and discipline, and with scientific, social and economic principles. They practice the active rather than the passive virtues, and urge more comprehensiveness and efficiency in religious work. This involves practical reform all along the line. As the Encyclicle says : There is nothing that the Modernists would leave untouched. The scholastics, Protestant and Roman, are hostile to reform.

It is evident that Christianity has, in this conflict between Mediævalists and Modernists, entirely new lines of cleavage. The old lines have become indistinct, the new lines are rapidly obliterating them. What is that, but to say that both Protestantism and Roman Catholicism are moving onward, impelled by irresistible forces, to a future which not even the Pope can determine? Are they drifting to destruction? Or are they guided by the Master pilot to a safe and sure haven? Modernism is the embodiment of the spirit of our age, that our Lord is using to mediate between the past and the future of His kingdom.

Modernists differ greatly among themselves, whether Roman

Catholic or Protestant. There are radical Modernists who are impatient of the slow processes of scholarship and jump at conclusions. In their enthusiasm for the new, they become hostile to the old; and so they become revolutionary in their notions. Such Modernists discredit the movement. No one should blame the Pope for smiting them; no one should blame Protestant religious organizations for rejecting them.

Ecclesiastics have no fear of radicals, for they know that these are madly rushing to their own destruction; but they have an instinctive hatred of reform of any kind, and therefore conservative reformers are their terror, because they are conscious of the need of such reforms and know quite well that they can only postpone them. The Modernists, who have been smitten by the Roman Catholic and Protestant Churches alike, are for the most part, not radicals, but conservatives, differing from their adversaries more in methods and structural principles than in substance and ideals—more as regards current traditional opinion, than with reference to the official doctrines and institutions of the bodies to which they belong.

The attack of the ecclesiastics upon conservative Modernists, in every case, has strengthened the hands of the radicals and stayed the hands of those scholars who were mediating the reconciliation of the Church with the modern world, and the advance of the Church to a higher and better future, by the use of the more efficient methods of modern thought and modern life.

The battle that is raging all over the world is between Mediævalism and Modernism. Even the Protestant reactionaries are Mediævalists in part, because it is the mediæval scholastic methods for which they battle. It is the same battle over again which Mediæval men had to fight against the exaggerated claims for Antiquity; which each generation in a measure has to fight against the preceding generation which would hold it in bondage. The Middle Age of the world had its work to do, and in doing it would not be trammelled by the methods of Antiquity. Mediævalism conquered in its day, and has dominated the Roman Catholic Church, and in a measure Protestantism ever since. So the Modern Age of the world has its task, and it will perform it without being bound by the methods of the Mediævalists; a task vastly higher and greater than that of any previous time in the world's history; a task in which the entire world is in-

volved, and the entire universe must be held in view, and the entire history of the earth and man and the universe comes into play. Thomas Aquinas, with all his wondrous ability, his scholarly grasp of material and his constructive genius, was in many respects a babe to modern scholarship, whose horizon of knowledge is vastly more extended, whose material is enormously greater, and whose constructive system must be immensely higher, deeper, broader and wonderfully complex.

The tasks set before the modern world are not merely those of human enterprise and invention, they have been appointed by the Sovereign of the whole earth. The problems set before the Church of Christ in our day are problems which Jesus Christ our King has given us to solve. The divine Spirit is in the Church of to-day just as truly as He was in the ancient and mediæval Church, and He is guiding us in all our movements towards the ideal, predetermined from all eternity in the divine plan and purpose. Uzzah once more thinks he can stay the ark of God from falling. Thomas once more doubts the presence of his Lord. The ark of God will protect itself in this modern age just as surely as in the Ancient and Middle Ages. Thomas will eventually have to acknowledge his Lord in modern, no less than in ancient and mediæval, History.

Modernism is not the antithesis of Mediævalism. It is its normal resultant. The Encyclical makes them antithetical. I shall not deny that there are some who call themselves Modernists who do the same; but these men are not true Modernists. True Modernists are mediating Modernists. Modernism mediates the transition of the Middle Age of the world into the Future Age, just as the Middle Age mediated the transition of the Ancient into the Modern. All history is one, because it is governed by the Master Mind that created and governs the universe. All history advances steadily and surely towards its goal, as the militant Church becomes more and more triumphant. The chief Captain of our Salvation assures the modern world of an eventual victory. We may battle and suffer and die in confidence that the goal will be surely reached. Neither the reactionaries nor the revolutionaries will prevail. The Church of God moves onward with stately and invincible step into our future as into every preceding future, with the Lord's prayer, "Thy Kingdom Come," in its heart.

II. Coming Catholicism.—What is the Coming Catholicism? No one can tell in detail; but it is not difficult to determine in outline what the kingdom of God will eventually become, for we know in a measure at least the mind of our Lord, which is as certain of realization as the rising of the sun. We also know the great historic movements of the Church for nineteen centuries, and the forces which are now active in Christianity. These movements and forces, guided by the divine Spirit, will have resultants which we may discern with confidence.

(1) The Coming Catholicism will be a Church *at peace with itself.* Jesus said in his farewell discourse: "The Paraclete, the Holy Spirit, whom the Father will send in My name, He will teach you all things, and bring to remembrance all that I said unto you. Peace I leave unto you, My Peace I give unto you; not as the world giveth give I unto you. Let not your heart be troubled, neither let it be fearful." (John: xiv, 26-27.) A Church, guided by the divine Spirit, sins against the Master when it is fearful or troubled, and not at peace with itself. The guilt of this sin is the fundamental trouble with the Christian Church to-day. The peace of the Church should flow on as a river under the guidance of the Holy Spirit. Instead of this, the Church of Christ has been too often "like the troubled sea; for it cannot rest, and its waters cast up mire and dirt. There is no peace, saith my God, to the wicked." (Isaiah: lvii, 20-21.)

Why should the Christian Church be so fearful of errors in theology, so troubled with schisms, so much at war with itself as to questions of government, discipline and worship? The Truth is mighty and it will prevail. Facts are invincible. The Holy Spirit is the inerrant guide given us by our Saviour. Let truth and fact do their battle against error and theorizing. Above all, have confidence in the presence, the power and the guidance of the divine Spirit. The great fault of the Church of our day is that, while it holds to the doctrine of the divine Spirit, it does not act as if the divine Spirit was really present and guiding as Jesus promised. The Coming Catholicism will be a Catholicism which is conscious of the divine Spirit in her midst, which will act under His impulse and guidance, and which will be without fear or trouble, at peace with herself.

(2) The Coming Catholicism will be a *reunited Church.* The Church of Christ has never in fact altogether lost its unity. As

St. Paul tells us: "There is one body and one Spirit, even as also ye were called in one hope of your calling; one Lord, one Faith, one Baptism, one God and Father of all, who is over all and through all and in all." (Eph: iv, 4-6.) The Church of Christ is divided as a household, is divided with quarrelsome children; or as a nation is divided by warring factions. We have been so much occupied by our divisions that we have too often forgotten that we belong to the *one* household of God, the *one* kingdom of Christ. We have exaggerated the discord and depreciated the concord; we have misunderstood and misrepresented our brethren.

Several years ago, an eminent Waldensian in Rome said to me that there was not a single Roman Catholic scholar who understood the Waldensian position. I thought at the time that it would be difficult to find a Protestant scholar who understood altogether the Roman Catholic position. The Roman Catholics and the Protestants live in a different literary world, in a different religious atmosphere; and it is necessary for a Protestant to enter the Roman Catholic world, live in the Roman Catholic atmosphere, and so come into loving communion with his Roman Catholic brethren, in order to understand them. The Modernists, both Roman Catholic and Protestant, have in some measure this irenic spirit. They see that the consensus of the Church is vastly more important than the dissensus; that the consensus is the normal and legitimate inheritance of Christianity, but that the dissensus is, to a great extent, the crude, undigested and unwholesome encumbrance of Christianity which must either be cast off or revised or reformed. We may be certain that this dissensus will continue to decrease in importance.

As Harnack recently said: "Scholars in both Churches are engaged with marked independence in the solution of particular historical problems, and the value of their researches is recognized in both camps." A prominent Roman Catholic scholar, Monsignor Duchesne, the greatest living Church historian, recently published a Church History of the first three centuries, calmly discussing all disputed questions, such as the formation of the creeds, the Christological and Trinitarian controversies, the origin of the Episcopate and the Roman Primacy, and the history of the New Testament Canon; and, "with the exception of a few details," as Harnack says, nothing in this work can call forth the criticism of Protestant savants.

Harnack rightly urges upon conscientious men in both Churches the following admirable principles: (*a*) The confessional, or credal, differences of the two Churches, must be entirely removed from the political sphere. (*b*) Each party must try to be perfectly just to the other. (*c*) All useless controversies must be avoided and a fair and honest method of controversy instituted. (*d*) Each Church must earnestly try to appreciate and properly understand the religious and spiritual life of the other. (*e*) A higher unity, and the attainment of a truth which now lies beyond the grasp of both Churches, must be held up as the final ideal.

The faithful application of these principles in Christian brotherhood will eventually accomplish the Reunion of Christendom.

(3) The Coming Catholicism will be Catholic. The principles of Catholic Unity clearly manifest in the second Christian century are a normal and inevitable development of Apostolic Christianity. They have always been maintained by the Church, and will be even more dominant in the future than in the present. The great Catholic principles, as I have elsewhere shown, embrace these three things: (*a*) A consciousness of geographical unity in one Church spread throughout the world; (*b*) Historical unity by succession with the Apostles—this involves that nothing shall be regarded as Catholic that cannot be derived as a normal development of the Apostolic Church; (*c*) Vital or mystic unity with Christ—this involves that Christian life and worship, as instituted by the historic Christ, and maintained by union with the reigning Christ, shall be conserved as making the Church truly holy; in other words, the Catholic Church must be holy and apostolic, and so truly Catholic.

Now, all the great historic Churches of Protestantism, as well as the Roman, Greek and Oriental Churches, hold to these Catholic principles in theory; but in fact they all, without exception, sin against them in practices which are not in accord with these Catholic principles. They err by excess and by defect. The Church of the future will recede from these excesses, and overcome these defects, and so become more truly Catholic. In British Christianity, the Anglicans exaggerate apostolicity; the Puritans, sanctity; the Roman Catholics, geographical unity in the Holy See. What is excess in the one is defect in the others.

The three features of Catholic Unity are involved in the say-

ing of Vincent of Lerins: "*Quod ubique, quod semper, quod ab omnibus creditum est.*" This principle is universally recognized as valid; but in its application there is again excess on the one side and defect on the other. The Church all through its history has been impatient of results. It was determined to decide by Councils and Synods and Popes, rather than wait for the decision of the Holy Spirit. The fundamental Catholic principle is that the Holy Spirit will lead into all the truth; and that He will lead the universal Church into the possession of all the truth. The Church should always have waited until the divine Spirit had brought about the consensus, and not have forced the issue prematurely at the cost of discord, heresy and schism.

St. Augustine gave another phrase which has been of great significance here: "*Securus judicat orbis terrarum.*" It was this phrase, as quoted by Wiseman—"Therefore the entire world judges with security that they are not just who separate themselves from the entire world"—which made Newman a Roman Catholic. This principle is again correct, but the use made of it is often erroneous. It is quite true that the universal Church judges under the guidance of the divine Spirit, and in that judgment is at peace with itself, in unity with the divine Lord and the entire brotherhood; but it is not true that the individual Christian is bound to submit to the authority of the majority vote of a Christian Council, or of a Pope, unrecognized by the majority of Christians throughout the world.

The ecclesiastical authorities are always impatient for the decision, and are not content to wait until the divine Spirit has brought the world-wide Church to a knowledge of the truth and a conscientious acceptance of it. The ecclesiastics force the decision, and offend the consciences of a multitude of Christians as truly Christian as themselves. The Christian conscience rebels against a dogma that is forced upon it by external authority, without sufficient evidence to convince the intelligence. These ecclesiastics claim to themselves the possession of the divine Spirit, and deny it to brethren of equal rank, ability and piety with themselves. In such cases, the universal Church does not decide; and it certainly does not decide with security, in the possession of the Lord's peace and unity, but in strife and divisions entirely contrary to the principle of Catholic Unity. The time is coming when the true Catholic principle will reassert

itself, when it will be truly and calmly applied. The concord, the consensus, of Christendom will be recognized universally as the judgment of the divine Spirit, and the dissensus as an evidence that the divine Spirit has not yet given His decision through the universal Church.

4. The Coming Catholicism will be *orthodox*. The divine Spirit, though grieved, never abandons the Christian Church. In the midst of all the strife and discord, the heresies and schisms, He still continues His gracious guidance. The decisions of the ancient Councils give the standard of Christian orthodoxy from which the Church will never depart. These decisions were premature and, as the history of the Church shows, in every case ineffective. The doctrines did not win acceptance because of these decisions, but in spite of them, by the slow process of reflection and discussion in the Christian world. The Nicene faith hung in the balance for several generations, and only gradually, in spite of conciliar action, won the consensus of the Christian world. This ought to have taught the Christian Church a wholesome lesson, but it did not. The way of ecclesiastical authority has ever been the way the Church has preferred, at the cost of numberless heresies and schisms. The venerable proverb, "More haste, less speed," has been illustrated nowhere else more truly than in the history of Christian Councils.

At the same time, the wrath of man was overruled by God to His praise, and the decisions of the Christian Councils did eventually gain the consensus of the Church and will never be overruled. It is true that modern men take exception to the formulas in which the doctrines are expressed, and it is characteristic of Modernists that they are striving to set these doctrines in modern forms and expressions which will make them no longer abstractions, but realities to the modern world. This is one of the phases of the battle that is now raging between Modernists and Mediævalists. The Mediævalists maintain that the form of the doctrine is as necessary as its substance; that we must accept the philosophical formula as well as the Christian material. But Modernists rightly claim that the modern age of the world has its rights, no less than the mediæval and the ancient, that it is impossible for moderns to think, feel and act in the traditional moulds of former ages which are unfamiliar to modern experience. The letter of these doctrines is dead, the living substance

is wrapped in grave clothes. That these doctrines may live for us, these grave bands must be stripped off. Lazarus must come forth into the realities of the modern world. This is not to destroy the doctrines, it is rather to make them live again. It is not to bury them, but to raise them from the dead. It is not to substitute error and heresy for the doctrinal judgments of Christianity. It is to banish all error and heresy, due chiefly to misconceptions and misstatements of the theologians, by letting the pure, unadulterated, undefiled truth shine forth from the new candelabra upon which the ancient lamps of orthodoxy are now being placed.

(5) We might go down through the long highway of Christian History, and show that whatever has won the consensus of the Christian Church will always remain in the Christian Church, as a final judgment of the divine Spirit wrought out in the Christian experience of the universal Church; but I must haste to a conclusion. Which of the two great Christian bodies, Protestant or Roman Catholic, is to prevail in the future Catholicism? I do not hesitate to say: Neither. Both have their contributions to make to the Coming Catholicism. Whatever is genuine in Protestantism will pass over into the Coming Catholicism; whatever is not genuine will pass away. What is true and right in Roman Catholicism will abide; what is not altogether true and right will be thrown aside. Protestantism and Roman Catholicism will eventually rise above all the mists of prejudice, and the walls and citadels of ancient conflicts into the clear, bright heaven of eternal realities, and continue in a glorious brotherhood. Each, in its way, went through a crisis of reformation which has not yet reached its goal. Each, in its own way, is advancing towards a divinely appointed destination. Each has an important contribution to make to the Coming Catholicism, in which not only Protestant and Roman Catholic, but also Greek and Syrian, Armenian and Copt—yes, the Jew, the Mohammedan, and even India, China and Japan—will share; for in a world-wide religion, embracing all the races of mankind, every nation and every race will have something to say and something to do.

What, then, will be the great distinguishing principle of Coming Catholicism? It is the principle of sanctification by love. It must be evident to all that we have come into an ethical age, a sociological age; an age which resents mere dogma, and insists

upon the realities of life; which cannot be satisfied with faith only, but demands good works; an age for holy men and women; an age whose impulse can be no other than holy, Christlike, self-sacrificing love.

This age is not worse than others. It is better. The Church has always from the beginning been growing better. Christ, the Head of the Church, "also loved the Church and gave Himself up for it, that He might sanctify it, having cleansed it by the washing of water with the word, that He might present the Church to Himself a glorious Church, not having spot or wrinkle or any such thing; but that it should be holy and without blemish." (Ephesians: v, 25-27.) We cannot doubt that our Lord has been, and is now, fulfilling His ideal. All History attests it, Christian experience manifests it, the ambition of multitudes of Christians throughout the world shows that, though the ideal has not yet been entirely accomplished, the advance towards it is more vigorous, more wide-spread, more determined and more effectual than ever before. Men are more and more convinced that nothing else but holy, Christlike love will solve the problems of the present age, and make the future what all men of good-will earnestly hope for. It alone will reconcile Christian to Christian, and bring about the peace and unity of the Church. It alone will give Christian thinkers and workers that liberty of conscience and opinion and practice which is indispensable to solve the hard problems inherited from the past, and those forced upon us by new conditions and circumstances in the present. It alone will reconcile Jew and Christian, for this is the ethical principle which binds Old Testament and New in indissoluble union: it is the everlasting *Shemah* of Jew and Christian alike. It alone will reconcile labor and capital, and solve the economic and industrial difficulties, with which the success of Christianity in our day is so inextricably involved. It alone will persuade the heathen world that Christianity is something more than the imposition of Western manners and customs, and an alien civilization, upon an unwilling Orient. It alone will knit together all nations and races in a Coming Catholicism which shall realize the highest ideals of Christianity.

CHARLES A. BRIGGS.

THE PLEA OF THE CHILD LABORER.

BY AARON HARDY ULM.

THE person or persons who look for child-labor material in the South are pretty apt to find the kind they want. Conditions there present so many apparent contradictions that the outside investigator finds it practically impossible to obtain an impartial perspective. Such can only be secured at the best by long and patient toil, with a residence among these people in different sections and under varied influences. Even by this method, the investigators who begin with a purpose or anything bordering on preconceived opinions will find themselves handicapped; for there exists evidence which, if presented alone, will justify any view taken.

Much discussion of the subject leads me, in general, to endeavor to give a new point of view. The mistake made by all writers whose outpourings I have read is that they confine their investigations to the child alone, forgetting to study the kind of men and women turned out by an economic condition in which the employment of children of tender age is only the worst part and the basic principle.

In stating my premises, I must beg leave to make some personal explanations. In my fourteenth year, circumstances placed me in a cotton-mill as a fifty-cents-a-day laborer. I was taken from the country, where my home had been humble but comfortable, and my general environment of the average kind then to be found in the rural districts of the South. During the greater part of three years, I was a regular operative, working in different departments, and mostly in those where children are mainly employed. After that time, I was fortunate in obtaining employment on the outside, but for nearly ten years my life was cast among these people almost as closely as if I had been working

side by side with them. I was far from the land of cotton for two years; but, returning, I was a newspaper reporter for three years in the town where I had worked as a mill-hand. In that capacity the tragic and pathetic sides of the lives of mill-hands were presented to me more forcibly than they ever had been before, as my work took me to the courts regularly and kept me familiar with police happenings and the working of philanthropic and charitable institutions.

If I may be indulged a little further, I will state that I have made no special study of sociology, nor any study of social conditions excepting as I have thought and observed on all problems of life with which I have come into contact. I have been identified with no crusade against the evils I will hereinafter attempt to depict, and I have before written nothing on the subject except one or two newspaper "feature" stories.

I say unequivocally that it would have been better if the South had never come into possession of a single cotton-factory than to have founded a prosperous industry on the labor of children. This statement is radical, but true. It was the child that first attracted Northern investors there—in other words, cheap labor unencumbered by legal restrictions. Had the same regulations over the employment of children prevailed there as have obtained in Massachusetts for many years, this industry would not have grown so rapidly and would not now be of such great proportions. The average cotton-mill worker of the North is a product of generations, bred and born to the loom, or, at least, not new to industrial confinement. He is much better adapted to the service of a machine and to imprisonment within the four walls between which he must work than the Southerner of thirty years ago, who knew only the open, having come down from centuries of agricultural forebears ignorant of industrial restraint. The Northern operative is more profitable to-day, as is shown by the greater prosperity of the mills far from the cotton-fields.

This is one of the reasons why there has been no lack of children upon whom to nourish this industry. In the mad desire for that which furnished much of the cause for the Civil War, and which they risked their lives to resist—industrialism—the Southerners forgot the duty of race protection. Capitalists were invited to build mills and allowed to draw discontented thousands from impoverished farms, to clutch them with the

tenacity of a vise and practically to own them. Comparatively few who are once drawn into the attractive web of cotton-mill work have been able to escape this doom. Once habituated to it, the workers find a fascination in it that is hard to resist. In the old mill towns, and there are a few that have existed for a century or more, may be seen families that have little or no record or memory of any other life. So far as they know, all their ancestors were mill-workers, and they take it as an indisputable edict of fate that they must ever be mill-workers also. Accustomed to the military-like routine, to the easy care-free existence possible in the half-feudal communities, few ever desire to better their condition. This is particularly true of those who begin the work in childhood. To-day thousands of white people are bound to a single calling, living a life that knows not ambition and encourages no initiative. There can be only one result. Apart from the tendency of the work to cause physical deterioration, the system, if not checked, will produce a race of irresponsible dependents,—a class bound by the iron hand of caste and industrial necessity to a lowly place in life.

This state of affairs is largely due to child labor. I have seen children seven years of age working in the mills. I have known them to be compelled to spend twelve hours therein for the munificent sum of twelve and a half cents. I have known others to grow up from infancy therein; first accompanying their mothers to their work, and then becoming sweepers, few of them receiving more than twenty-five cents a day, at the first show of sufficient strength.

The statement recently made that the "lowest class of whites" go to the mills and place their children therein, therefore in reality bettering the condition of the little ones, is, unless modified, untrue. It is a fact that many workers are drawn from the lowest class, but this class is not composed of the "poor whites"; it is lower, being more commonly known as "white trash" or "tacky people." They do not make successful mill-hands. They seldom remain there very long, but return to the hand-to-mouth, work-free existence of rural life. The exceptions are in cases where there are a sufficient number of children in the family to provide a livelihood for all. Then the little tots are forced by idle fathers and indolent mothers into the factories and compelled to stay there. Follow these children, and you will

find that, as soon as they reach the years of self-will, heredity asserts itself; the boys become tramps or cotton-mill hoboes, travelling from place to place and working only when it is necessary to keep body and soul together. This product of the system often marries a weak woman, and then compels her to work while he loafs with others of his kind and spends the money she earns. So numerous is this specimen of so-called "man" that he has given rise to a brand-new term—"dinner-toter"—which denotes the only useful thing he ever does, that is to carry the midday meal to his servile companion. The girls often become prostitutes—I refer only to the "lowest class of whites," for in the cardinal principles of chastity no girls are purer than those of the average "poor whites," either in mill or country.

The greater proportion of the mill-help comes from the one-horse farmer class, the people who have risen above the "white trash" element or fallen from the home-owning one. It is the class of people who have to rent land and lack the perseverance or good fortune to establish permanent homes, but who live in a fair degree of comfort and give their children the nucleus of an education—that is, as long as they remain on the farm. Often the children are allowed to chose between mill and field, and few white girls of self-respect fail to choose the former. The boy casts his vote for the factory, in order that he may have opportunity to realize romantic dreams of town or city life; the element of pride does not enter into his calculation, for in no part of that section with which I am familiar is it considered anything but honorable and commendable for boys or young men to wield the hoe or follow the plough.

During the hard times after the Civil War, thousands of these people flocked to the mill centres, then in the first stage of development. Later, during the depression of the early nineties, they went in such numbers that there was a congestion of labor in the cotton-mills and a labor famine on the farms.

In the mills are representatives of the best families, but these are rare. To do such work places a social blot upon one which few well-connected people will bear; I have known them to suffer the lack of food rather than sacrifice their pride in such endeavor.

It is true that many go to the mills from the mountains. One who investigates with the eye and ear alone will think, and reasonably so, that the change betters the state of the children.

Their homes in the hills are squalid; the mill homes are plain, but secure from rain and cold, and fairly sanitary. In their native region, schools are often unknown, culture a stranger and religion a weird superstition. In towns they have at least the semblance of schools, and churches that are looked after by young and unpractical "charity" preachers; and on Sundays they occasionally observe a well-dressed sightseer and hear respectable English spoken. In the mountains, they have hills and open fields, the fresh air and the uplift of all nature. Their social life there is governed by a crude code of ethics and morals; a standard of personal honor prevails that might well be copied in more "civilized" communities; they retain their physical and mental virility, and occasionally send forth a boy who becomes famous. This cannot be said of the mills to which, in some sections, they flock. The children are kept in the mills to support fathers who idle their time in saloons or with worthless companions. That which happens when any crude people—and that is what these mountaineers are—are thrown together in large bodies occurs here. They lose the good qualities of their former state, while all the bad qualities crop out with renewed force. However, outside the Piedmont region the mountaineer is barely known as mill operative.

Despite so-called "child-labor legislation," any girl or boy, ten or eleven years old, and of average physical development, can obtain employment in the majority of the mills of the South. In nearly every State, if not in all of them, the laws are nullified by the absence of practical methods of enforcement and by the many subterfuges and evasions possible. At least fifty per cent. of the work can be—I do not say is—done by children under fifteen years of age. The reason they do not do more is that the supply of children is less than the demand. In my experience, some of which occurred during a congestion of the labor-market, I never saw the time when a child could not obtain employment.

An artist is ridiculed for drawing the form of a little girl beside a loom. Any one fourteen years old and of average intelligence can operate four looms; in cases of special proficiency and industry I have known one of such age to operate six. Child weavers are not common, because, the work being paid for by the piece, there is no opportunity for discrimination against children. It is natural that an adult should take better care of the ma-

chinery and make it more productive. The spinning-room forces are almost entirely made up of children. The idea of an adjustable spinning-frame is laughed at by one who knows, for such a thing is not needed so long as boxes or stools will supply deficiency in height—which is a handicap even to the smallest of them only when reaching for and placing in position the spools of twisted cotton.

In midwinter, these little workers see the break of day as they trudge along the route to the mill or look from the windows of the room in which they work. During that season they work an hour morning and evening, on an average, by electric light. They hobble to their homes, often along badly kept streets, through almost total darkness. Considering the time they spend in dressing and breakfasting, the time spent going to and from work and at supper, these children have little more than ten hours of each twenty-four to themselves for unrestrained rest or study. And many young men of my acquaintance attended schools at night, and acquired, while boys, good common-school education under these severe restrictions. This proves the hardihood of the race, a large part of which the mill system is devouring.

In the mills the workers are thrown together promiscuously. All classes, characters and ages must work side by side. Little girls, who should not know the meaning of sin, must often toil in close companionship with brawny, rough men, whose language is not always clear of profanity or even indecency. These innocent little ones have before them daily the example of those of their older co-workers whose self-respect has broken down beneath the strain. Those angelic few — for whom monuments should be erected—who withstand it all and grow up amidst temptation undefiled, retaining pride and self-respect and refinement, are placed in the position of an unassertive minority, which is little attractive to an inexperienced child. Tiny boys go there from the innocence and the native culture to be found on even the poorest farm, to be thrown among a hardened class of youths whose ambition is solely to pattern themselves after the bad habits of their elders. To chew the most tobacco, to smoke the greatest number of cigarettes, to use most deftly the unprintable words of blasphemy and obscenity, are soon bound to be considered marks of superiority. Where is even the man who does not like to stand well before his fellows, and to be looked up to by his intimate companions?

The work, of necessity, affects physical and mental growth. The absence of sunshine and fresh air, the dust-charged and lint-laden atmosphere which they have to breathe, the humid climatic conditions, the long hours upon their feet and the stooped position they have to assume while performing their duties, particularly in the case of "doffer boys," can have no other effect than to prevent the normal development of the physical functions. Search the records of the War Department. Seldom is a young man who spent his life in a cotton-mill accepted for enlistment. Even during the Spanish-American War, when the usual restrictions were slackened, only a small percentage of such applicants were accepted. So hopeless have they become as prospective soldiers that the recruiting service now makes but little effort to secure them; such work is looked upon as futile, though applications are always plentiful. Physical examinations show them to be lacking in height, or too tall for their weight. Arms and legs are often abnormally long, and in a large majority of cases the chest measurement is alarmingly inadequate.

The ceaseless hum of machinery to which they are subjected gives a warped direction to their brain, and the starved physique appropriates practically all the natural nourishment, at the cost of the brain, that comes in their path. The absence of any educative element in their work, excepting that they use their hands, tends to destroy all inherent ambition and to smother energy. The long hours and small pay stifle perseverance.

I am speaking of the mill-workers who begin as children undeveloped, mentally and physically. Talk to one of this class of operatives who has reached maturity. His hopes will be found to centre around the next pay-day. For him two weeks is the future. Speak to him of obligations to his wife and children, and learn that he regards them—with crude affection, it is true—as representing a certain present or prospective income, much as you would regard a good horse you raised from a colt with mixed feelings of love and interest. Go into the mills and see them work in bare feet with their bodies half-clad, in order that they may wear badly fitting, but creased and starchy, store clothes on Sunday. Note the lack of modesty among the young women of this class—their makeshift working costumes, their snuff-rubbing and expectorating habits, and their childish love of gaudy apparel for use on holidays.

In the mills, or most of them, the girls and women are provided with dressing-rooms that are neither sanitary nor comfortable. Often these are not more than partially private. A hundred or more have to use a small enclosure of less capacity than the average sleeping-apartment. They must provide their own soap and towels, and use for a basin a common iron sink, unless they keep one of their own. Little provision is made for sitting down during leisure moments.

Little girls are frequently subjected to and must hear the vulgar taunts of coarse overseers and foremen, and the older and more comely ones must often repel at the cost of fair treatment, or accept at the cost of their honor, the privileged advances of the "boss." Women who are shamelessly base are in some instances allowed to flaunt their immorality before the eyes of budding childhood, paying a little of the tribute of hypocrisy to virtue, and in such cases the young ones have every opportunity of observing how the roadway is smoothed for the woman who enjoys the special friendship of the superintendent or overseer.

What is the result? Few children who enter the mills below the age of fourteen ever do anything else or better. The boys of this class seldom rise above the ordinary operative. They marry early and unprepared, and the girls, nearly always too young to bear the burden of motherhood under the most favorable conditions, must assume that sacred trust, work in the factory and care for her home all at the same time. What kind of progeny can be expected from them? Separations or desertions often begin before they are together more than a few months, and life becomes a series of domestic squabbles. In other cases, children come rapidly, and are reared in the most squalid fashion, and are put on an earning basis as early as possible. These children are necessarily weaklings from infancy; they live a life of misery; and, as a rule, they die early, but not until they continue the chain of burden-bearing through reproduction.

This is the appeal of the child, and through it of the race.

It is no problem for the impracticable philanthropist, or the maudlin sentimentalist. As a recent writer well observed, it needs the application of common sense. Those who study it must explore the hearts of the poor folk and sound the depths of their melancholy souls before progress will be made. I have refrained from giving examples, as none, not even a collection, would

fairly represent the situation. Each could probably be duplicated in other fields. I could have cited—of the tragedies that have crossed my own life—happy homes that have been shattered and its members sent like chaff to the four corners of the earth. I might mention cases of imbecility and physical deformity that, of my own knowledge, have resulted from this system. Individual cases might be given of girls whose pride and self-respect have been blasted, and of boys whose prospects and hopes have been wrecked on the breakers of cotton-mill circumstances. Such illustrations would only represent extremes.

There are numerous companies, presidents and superintendents, whose humanity in dealing with these conditions is unsurpassed. Many have enforced age limits outside and above the law, and I know of my own personal knowledge that several companies endeavor in every way that is compatible with the demands of competition to make their operatives better men and women and to keep them so. Some of these companies sacrifice dividends in the interest of their help. There have been times when operatives of an entire community would have suffered severe distress had not their employer, the company, at great expense stood between them and misfortune. In most of the small mill towns, the companies exercise a paternalism that is benevolent indeed. The mill operative and owner are inherently as good people as the world produces. It is not the men, but the conditions, that must be decried.

There are boys of my acquaintance, whom I number among my best personal friends, who have risen above these conditions, to make their places in business and the professions, and girls who have become the best of wives and mothers. These instances argue nothing in defence of the system, but they speak volumes for the indomitable courage of the Anglo-Saxon.

To correct these evils, there must be some sort of harmonious action on the part of all the Cotton States. It is not fair for one to deprive its investors of privileges enjoyed by those of another. For general adoption, I recommend the following, and I take occasion to predict that these regulations, or some of similar character, will some day be enforced throughout the Southern mill section:

Forbid the employment of children under fourteen years of age, without exception; forbid the employment of children un-

der fifteen years, except during the vacation period; forbid the permanent employment of children under sixteen who cannot show a certificate of completion from a standard grammar-school.

As for exceptions to most of such statutes in favor of "widowed mothers and invalid fathers," by which, it may be said, the laws can be forever evaded, I beg to say that they are not needed. There is no such mother or father who cannot get along just as well with his or her children outside as within the mills.

In addition to the child regulations, I suggest the following:

Separate the sexes as far as practicable. (This can be almost completely done.)

Require the employment of women foremen or "second hands" for their own sex.

Make it a crime to employ a married woman who is a prospective or young mother.

Forbid the employment of women or children for night-work.

Compel the companies to furnish comfortable chairs or stools for the use of the girls and women during leisure moments, and adequate, private and comfortably equipped dressing-rooms.

Provide Factory Inspectors, some of whom shall be women, to devote their entire time to seeing that the laws governing child and female labor are enforced.

Provide severe fines or confinement in prison for presidents or superintendents who permit violations of the law.

It might be said that these regulations are practically in operation over the big department stores of the large cities, where the hours are shorter, the work lighter and lurking danger less imminent—also over factories in many States.

I will state in conclusion that close intimacy with mill conditions ceased with me six years ago. Since that time I have made some investigations, and, while there is much to be corrected, I must state that there has been considerable improvement. The trend of legislation in all the Southern States is favorable, and I have no doubt that in a few years all that laws can accomplish towards removing the evils of the system will have been done. But the greatest good will come through the awakening of the bulk of noble Southern people to the needs of, and conditions surrounding, their unfortunate brothers and sisters of the mills.

AARON HARDY ULM.

AMERICAN RHODES SCHOLARS AT OXFORD.

BY GEORGE R. PARKIN, ORGANIZING REPRESENTATIVE OF THE RHODES SCHOLARSHIP TRUST.

THE scholarship system established by the remarkable testament of the late Cecil Rhodes has now been in operation for five years, and one of its results is that about ninety young men, drawn from every State in the American Union, are at present pursuing their studies at Oxford University under the provisions of the Trust, while two earlier groups, numbering eighty in all, have completed their three years' course of study there, and have returned to work out their careers in their own country. They are a part of a still larger body brought to this ancient home of learning under the same auspices. It includes representatives of all the great, and of many of the smaller, colonies of the British Empire, together with a lesser representation of the German Empire and so of that great Teutonic stock from which the Anglo-Saxon race has sprung. During the last academic term of 1908, the number of men thus brought into residence at Oxford numbered 189 in all. They form about a twentieth part of what is perhaps the most representative gathering of students to be found in the United Kingdom, chiefly composed of young Englishmen, if we hold that word to its strict meaning, but with a fair proportion of men of Scottish, Welsh or Irish descent. It may be safely assumed, therefore, that nowhere else in the world is there collected together, for purposes of common study and with opportunities for intimate personal intercourse, a body of students so typically characteristic of all the material which goes to make up what we call "the Anglo-Saxon race." This is a concrete realization of the thought which seems to have been uppermost in the mind of Rhodes when he made his will.

Starting with a profound belief in the high destiny and benefi-

cent influence of the British Empire, and eagerly desirous to promote the permanent unity of its various parts, while increasing their strength and usefulness, his first intention, as a means to this end, was to bring the youthful vigor of the colonies into touch with the experience and culture of the Mother Land, in the belief that both would thereby be benefited. As time went on, his advancing thought led him to conceive that still higher ends would be served by the co-operation of the United States with his own country in carrying forward the work of civilization, and still further that the increasing influence of Germany made its support and sympathy for the same purpose of the utmost importance. He believed that great good would result to the world from a mutual understanding between these various peoples, and using the means which he had in his hand he took the step that seemed to him most likely to promote such an understanding. His plan was very simple. He would secure as the agents of his purpose picked young men of these nations. For these he believed that the strongest bond of sympathy would be created by a common education. He therefore arranged that, for all time to come, nearly two hundred scholars of these countries should be educated together at the most ancient and famous seat of English learning and training.

This great and original conception has struck the imagination of the world more than any other testamentary disposition of wealth made in modern times. The lofty spirit of patriotism which inspired it, the touch of wider idealism which gave it a distinction altogether singular, the striking part which the testator himself had played in the drama of British national life, all contributed to throw a glamour of strange interest over the plans by which Mr. Rhodes proposed to perpetuate and project on the future of the world the ideas which had absorbed his busy brain during his short lifetime. Even considered merely as a monument to the founder himself, it is unique in this, that it is a monument to be gradually built up of living men, inspired by the thought of service to their fellows, and specially equipped for doing this service. Whether the aims he had in view will be accomplished is a question that the centuries alone can answer. Nations take long to grow; the influences that move them operate slowly and sometimes almost imperceptibly. Still, one may doubt whether there is in the world to-day in operation any scheme more nobly

planned for the realization of a large and generous object. The inspiration of a great idea gives dignity to any work and any worker, and he will be a poor Scholar who, after eating for three years the salt that Rhodes has provided for him, is not touched with some of the divine fire, the devotion to world service, which burned in the spirit of the Founder. And we may fairly hope that, once in a while, there will be found the exceptional man in whom will be kindled the white heat of that flame to help him to "lift the world's heart higher."

This much by way of introduction to a brief statement of the principles on which the Trust is administered, the conditions under which American Scholars participate in the scheme, the methods by which they are selected, and the opportunities opened to them.

In his will, Rhodes indicated clearly his general intention in establishing the Scholarships, but he was wise in leaving his Trustees a comparatively free hand in giving them effect. In doing this, they have availed themselves of the best advice within their reach in each of the communities to which the endowment extends. In the United States, this was done by a series of conferences held in various parts of the Union, at which the opinion of the leading educational authorities in all the States was consulted as to the methods that could best be followed in executing the Trust. When these, after much discussion, had been settled, a Committee of Selection, consisting for the most part of educational experts, was formed in each State, and to this Committee the final selection of the Scholars is entrusted. Only to a very limited extent do the Trustees interfere with this choice. To make sure that no elected Scholar will be rejected when he arrives at Oxford, they have arranged that a preliminary examination shall be held in each State under the direction of Oxford University itself, on the results of which certificates are issued that are accepted by the Colleges as a qualification for entrance. The Trustees, and I think Oxford, would have preferred that this qualification should have been fixed on some sufficient standard agreed upon among themselves by the American Colleges and Universities from which Scholars come, but the extraordinary variety and range of these institutions in the United States have so far rendered this course impossible. All candidates who obtain this Oxford certificate of qualification are free to present themselves

to the local Committee of Selection, which is directed to use its judgment in selecting the Scholars in accordance with the general principles laid down by Mr. Rhodes. The Committees are left absolutely free to apply to the candidates any further tests that may seem helpful towards securing a wise selection. Thus it is American judgment which ultimately determines who the American representatives at Oxford shall be.

From a national point of view, the responsibility placed on the Committees seems very considerable. Not only will English opinion of the scholarship, character and all-round qualities of American youth be largely formed for the future by the type of man sent as Rhodes Scholars to Oxford, but the benefit derived from the endowment by America itself will depend on the quality of the material selected.

In constituting the Committees, the one aim of the Trustees is to secure that the judgment they give shall be competent and, above all, impartial. So strongly is it felt that political, denominational, sectional or other bias should not affect the selection, that I am satisfied the Trustees would, without hesitation, suspend, as they have power to do, the award of Scholarships in any community where it was shown that an impartial verdict could not be obtained. The greatest assistance that public opinion in America can give towards the successful operation of the Trust is to insist that the selection of Scholars shall be made on merit alone.

The Committees as at present constituted are for the most part academic, though in some States it has been found useful to introduce judicial or other outside assistance as a balance between conflicting educational interests. The Trustees welcome any advice coming from a competent authority as to the way in which the Committees of Selection may be constituted in any given State so as most fully to command public confidence.

While care was thus taken to secure an impartial selection, arrangements had also to be made for the reception of this large body of students at Oxford. Admission to an American University usually depends on passing a definite matriculation examination, and any one who has done this may expect to be accepted without further question. Each one of the twenty-one Colleges of Oxford, on the other hand, holds itself quite free to accept or refuse any candidate, whether he has or has not passed such an examination; and, more than this, the University does not ac-

cept a man for matriculation unless he has found a College which takes the responsibility of presenting him. The difference springs from difference of condition. The Fellows of an Oxford College know, when accepting a student, that they will not merely have to teach him, but that he will for some years live with them under the same roof, dine in the same Hall, and generally be brought into an intimate personal relation seldom known in an American University. Naturally, under such circumstances, in selecting from a number of applicants, a College which thus forms a domestic community within itself looks in some measure to what will make that community an agreeable and desirable place of residence, as well as what will give it intellectual distinction. It was, therefore, a very distinct innovation on precedent which had to be made when it became necessary to get assurance beforehand that a large body of students drawn from the ends of the earth, and of whom nothing was known personally, would be received into the various Colleges. It was impossible, of course, to vouch by anticipation for the intellectual calibre of the men who were to come. But I did feel free to say that, knowing the communities from which they were to come, those who would select the Scholars, and the conditions of election, the authorities could at least depend with a good deal of certainty on receiving men of serious purpose and proved character. On these grounds each of the Colleges agreed to depart from its usual rules and receive a proportion of the Scholars sent to them by the Trust, and on its recommendation. There remained the business of determining the College to which each man should belong. It was felt that the true policy would be to distribute the men throughout the whole University. This is accomplished by a method which gives a limited freedom of choice both to the College and to the Scholar. Each Scholar on election is asked to give a list in the order of his preference of the Colleges which he would like to enter. For example, twenty men may name either Balliol, Christ Church, Magdalen, New College, Trinity or any other College, as their first choice, with half a dozen others to follow. The names of the whole twenty candidates are sent to the College thus placed first, along with the credentials and documents on which they have been elected, which give full information about their previous educational course, and opinions by those who have trained them on the personal qualities to which Rhodes

attached importance. From this list of twenty, the College selects the four or five or six which it has agreed to take, basing its decisions no doubt on what it thinks fulfils its ideals or what will bring distinction to itself. The remaining names are then sent on to the second choice of the candidates, and so on till all are located in some College. The excellence of a Scholar's previous record counts largely in securing him admission to Colleges whose reputation enables them to pick and choose from among great numbers of applicants. It may be added that College authorities soon learn to distinguish between exaggerated commendations and such as are justified by subsequent performance.

The question of the age and the stage of education at which the Scholars should go to Oxford was one to which much thought was given and about which the Trustees were most anxious to consult local opinion. When the Scholarship scheme was first announced many fears found expression in the American press lest the Scholars should be too much Anglicized by their life at Oxford, and thus unfitted for efficient American citizenship on their return. In his will, Rhodes expressed definitely and strongly his views on this point. "I desire," he says, "to encourage and foster an appreciation of the advantages which I implicitly believe will result from the union of the English-speaking people throughout the world, and to encourage in the students from the United States of North America who will benefit from the American Scholarships to be established, for the reason above given, at the University of Oxford under this my will an attachment to the country from which they have sprung, but without, I hope, withdrawing them or their sympathies from the land of their adoption or birth." This wish of the Testator the Trustees have kept steadily in view. It influenced greatly one of the most important decisions they were called upon to make, by which two years of previous work at an American University is made one of the conditions of eligibility for election. It was felt that for an American youth to go directly from the High School to University life at Oxford would be a detriment to his future career in America, since it would deprive him of those University associations and friendships in his own country which so often exercise a profound influence on a man's after life. To handicap the Scholars for American life in this way would have been to defeat the expressed wish of Rhodes himself, as well as his expectation, since

he undoubtedly hoped that they would become men of influence as they worked out their careers in their own country. Another consideration which influenced the Trustees in making this decision was that a man with some experience of life and accustomed to stand on his own feet seemed best fitted to hold a Scholarship which took him so far away from his home influences for a long period. It is difficult to see how men of this type can be any more unfitted for American citizenship by residence at Oxford than are the hundreds of American scholars who in recent years have gone to German Universities, in whose case the question has never, so far as I know, been raised. That the general life of the country is enriched by the return either from England or Germany of scholars equipped by what the Old World has to give in training and experience, only the most prejudiced will be inclined to doubt. In one aspect, the more narrow criticism seems ludicrous. At a luncheon party in Washington at which many prominent guests were present, the question was raised whether these Oxford-trained youths would fit readily into the American system on their return. Various opinions had been expressed, when one of the party, well known for his caustic humor as well as for his public services, placed the question in what was probably its true perspective by remarking that, "as we work in 800,000 or more Italians, Poles, Hungarians, Russians, Greeks, etc., every year, I think we shall manage fifty Anglicized Americans without difficulty."

Moreover, against any possibility that a Scholar's attachment to his own country may be weakened by residence at Oxford must be placed one somewhat unexpected result which has followed from carrying out the terms of the will. It is a matter of common remark among the Scholars themselves that they meet on singularly close and intimate terms at the English University a more comprehensive and typically representative body of their fellow countrymen than they could count upon meeting at the average, and perhaps at any, American University. With complete impartiality the compulsion of the Rhodes Scheme draws Scholars from each individual State of the Union, North, South, East and West. The Americanism kept alive at Oxford should, therefore, be peculiarly broad and national; the intimate associations formed by the men are co-extensive with the Union itself.

But, manifestly, the value of the Scholarships to the United

States will depend on the personality of the men who are sent to take advantage of them. According as the material selected is commonplace or exceptional, so will be the result. In the provinces of Canada, in the States of Australia, throughout the other British colonies, the Rhodes Scholarships are already regarded as the chief prizes open to all-round University students. With picked men of these countries, with others selected under the direction of the German Emperor himself, as well as with the young men of Great Britain, the American Scholars will therefore have to compete. To take an honorable place among such men and in competition for such honors, the best the country has to give is not too good.

But will the Scholarships attract the best men, or will America care to send them?

Doubtless, there are numberless cases in which students will not care to break in, with three years of life abroad, upon the purely American training which they have planned for themselves. But in a population of more than eighty millions of people, with its infinite variety of interests, there must be an immense demand for every type of finished training and special accomplishment. The University students of the United States are now numbered by tens of thousands. That a hundred of the best of these should at any given time find the opportunity offered by the Scholarships the best thing for themselves and for their country, does not seem an unreasonable expectation.

I have often been asked in the United States what Oxford has to give to an American student which he cannot get as well or better at his home universities. There is, of course, in the case of the Rhodes Scholar, the opportunity for three years of additional training at a famous centre of culture, in freedom from the pecuniary anxiety which so often interferes with the efforts of aspiring students compelled to fight their own way, a class from which a large proportion of candidates are drawn. In a country where the haste of the young to enter upon the practical work of life without adequate foundation training is a common complaint among educators, the inducement which the Scholarships give to a considerable group of young men to prolong the period of training would seem to be beyond debate a good thing.

But, leaving this advantage aside, I am inclined in my answer to this question to give the first place to the wider point of view

to be gained in an Old World centre of training. If politically inclined, the American Rhodes Scholar finds himself in England in close touch with the politics of an Empire which covers one-fifth of the world, embraces nearly one-fifth of its population, and illustrates in its extraordinarily varied system every form of government, from extreme democracy to paternal and almost autocratic rule. He has close at hand, for study if he should so wish, the "Mother of Free Parliaments," with its great political traditions which have been the foundation of free government in America as elsewhere. He is within easy reach of France, Germany, Italy and other European countries, where he may spend his holidays, acquiring their languages and comparing their political and administrative systems. All this makes for that breadth of view which seems essential for certain forms of national service.

For the same reason, I am inclined to think that no class of American students would reap greater advantages from the Rhodes Scholarship than those who look forward to journalism as a profession. The journalists of a nation which, in its diplomatic, financial, commercial and naval relations, has become, almost in spite of itself, a World Power, require a world outlook which can only be got through knowledge of other nations. Here, if anywhere, the broad point of view is a national advantage and even a necessity.

But the actual range of study which Oxford presents to a student is wide. It may perhaps be best illustrated by mentioning the distribution of work among the whole body of Rhodes Scholars during the past year. Jurisprudence attracted the largest number, as thirty-eight of the men took the ordinary Honor course and seven pursued the work leading to a B.C.L. degree. Natural science came next, with eighteen in the Honor course and seven seeking a B. Sc. degree. In *Literae Humaniores,* which has for centuries given Oxford's best training and greatest distinctions, there were twenty. There was the same number in the History school. Following these were Theology, English Literature, Modern Languages, Mathematics and Economics, in all of which the higher courses were taken by numbers ranging from five to ten. Oriental Languages, Medicine, Forestry, Anthropology, Geography and Engineering, each attracted a smaller number.

No Oxford man would claim that in all these subjects Oxford

holds a foremost place, as she certainly does in some. Yet this can be positively said: that as yet no Rhodes Scholar, American, Colonial or German, out of about 300 that have been elected, has appeared at Oxford who found the course of study laid down for him in any one of these subjects beneath the level of his powers. It is a common opinion among the men that the three years allowed them are all too short for what Oxford expects them to do, and which they must do if they are to gain the University's distinctions.

They have thus learned their own limitations. They have found that the training of the best English students is better than what they themselves have had, and that only determined work can gain the honors the University has to give, and which are freely open to their competition. Above all, they have learned what Mr. Rhodes meant when he said that life at Oxford would give them a larger outlook on the world. There is no difference of opinion among the men on this point. They feel that they have got something that home could not possibly have given them.

It must always be remembered that few Englishmen take an Oxford course merely as a professional training, but rather to secure a broad basis of general culture on which to found professional training. This means some years of waiting before the actual work of life is begun, but these are years which leave a man with a stamp which can hardly be got in any other way. The past of a University counts for much in giving this stamp; and here, perhaps, lies the peculiar secret of Oxford's power. The Rhodes man finds himself there in immediate touch with literary and scholarly traditions among the noblest and most inspiring in the world. In its very buildings, illustrating as they do the noble conception of our common ancestors of what was due to education and to a home of learning, he will naturally imbibe a reverence for the past which gives a truer perspective to life than is usually obtained in newer communities. He can add the culture and experience of the Old World to the energy and hopefulness of the New, with which, presumably, he is himself filled. What he actually gets from Oxford, as from any University, will no doubt depend primarily on what he brings to it himself. What a really able man *can* get is probably best measured by what Oxford has given the world in the past. For some centuries and up to the present day, she has turned out in steady sequence a

remarkable succession of men "qualified," to use the words of the stately Bidding Prayer used at University services, "to serve God in Church and State." Historians, theologians, philosophers, teachers, jurists, economists, writers in prose and verse; the long list comprises the names of men who in all these departments of human effort have powerfully influenced the thought, not only of England and America, but of mankind. An even more characteristic product remains to be specially mentioned; of one of which Oxford has perhaps especial reason to be proud. This is what may be described as the literary statesman—the man who combines practical ability in the management of great affairs with culture and facility in letters—who to-day is Premier, Cabinet Minister or great administrative official, and to-morrow, when freed from the cares of office, is the brilliant writer, perhaps on some subject far removed from his political work.

Mr. Gladstone, turning from the cares of state to write volumes on Homeric theories or theological subtleties; Lord Rosebery, exercising his keen intellect in times of leisure on Napoleonic problems, political biography or literary appreciations; Mr. Bryce, expounding the Holy Roman Empire or the American Commonwealth; Mr. (now Viscount) Morley, filling up the intervals between governing Ireland and India with essays or biographies that are English classics; Mr. Balfour (a Cambridge example) discussing the Foundations of Belief; Lord Curzon writing on Asiatic, Lord Milner on Egyptian, problems—may be taken as illustrations to explain what is meant by the literary statesman. It will not be questioned that through such men the universities have added distinction and refinement to political life in England, without weakening its practical effectiveness. No other country possesses this type of public man in an equal proportion. The careers of such men as President Roosevelt and Mr. John Hay would seem to prove that, in the vast civilization of the United States, there is beginning to be in political as there has long been in diplomatic life, abundant room and recognition for the same type of public man.

President Roosevelt once asked me with what type of young Englishman American students would come in contact at Oxford. I had no hesitation in replying: "At any rate, with the men who will be ruling England in the next generation." When the President expressed some surprise at my confidence on this point, I

could only say that I had not known any British Cabinet formed within my recollection which did not have at least half its members Oxford men, and that what was true of the past and of the present would almost certainly be true of the future. So fixed is this tradition that Oxford and Cambridge are breeding-places for statesmen that the leader of a great political party in England would be considered rather remiss in his party duties if he did not keep an eye on the promising young men of the Universities with a view to bringing them into Parliament.

But, great as has been Oxford's past, I have little doubt that she has before her a future as great or greater still. In spite of the growth of her daughter lands, the title deeds of our race are in Britain still—rooted in her ancient universities as in her other institutions; and she will not resign them without a struggle in this or any other sphere. In the Humanities, in Theology, Jurisprudence and History, the Schools of Oxford still challenge comparison, after all these centuries, with any in the world. It is true that, in other centres of learning during this last fifty years, the strongest trend of the new educational movement has been toward Science rather than the Humanities. This is particularly the case in American and Colonial Universities from which the Rhodes Scholars are drawn, and where overpowering practical needs suggest practical training. Already Oxford has yielded in some degree, admittedly to her advantage, to this tendency. How far is it well that she should go still further in view both of her own good and of her world-wide relations? The question is a nice one. It is yet to be proved that the later tendency is the higher. If the further cultivation of Science involved neglect or limitation of her work in other spheres which she has so long done so efficiently, and under which she has in every generation trained intellects which have shed glory on our race, there would be a strong argument for confining her energies to the old task, and for leaving science to London and Leeds, Chicago and Boston, Montreal and Melbourne.

For, admitting all that science has done in enabling us to master and direct the forces of nature, the truth still remains that "the noblest study of mankind is man"—and man's upward struggle toward the highest is embodied in language, literature and philosophy. For these studies Oxford has always stood, and it is to be hoped will always stand. We may be sure, too, that,

when modern universities have pressed scientific training to its utmost bound, they will be driven back to ancient founts of learning in the realms of human thought for higher inspiration still.

A powerful movement is now going on to strengthen the University on many sides, and as this is done science will have due consideration. In various departments of scientific teaching and research much progress has of late years been made, and many projects are under contemplation.

There are, however, certain other lines on which Oxford seems to me likely to develop which do not interfere in the least with its past traditions, while in pursuing them she will open up to herself an immense future of usefulness and influence. The expansion of her already distinguished school of Jurisprudence to meet the needs of a nation which has to administer a greater variety of law than any other is one of these. A great Imperial Law School must necessarily take a wide outlook. The final courts of appeal for the Empire are required at times to interpret the French code in Quebec and Mauritius; the Roman-Dutch law of the Cape of Good Hope and Guiana; the Hindoo and Mohammedan law of the Indian Empire, while judges trained in England have to administer Egyptian law. The opportunity seems to be offered to Oxford of becoming a place where the best training can be obtained in every branch of law in use under the British flag, as well as in international law, for which British people have more frequent use from their world-wide connection than any other nation. The School of History, again, almost unique in its admirable tutorial system, has long since been raised to distinction by association with names like Stubbs, Froude, Freeman, and others equally well known in historical research. It has lately been strengthened, under the direct influence of the example set by Cecil Rhodes, by the foundation of a Chair of Colonial History, with special provision that this shall cover the history of the American Colonies up to the time of the Revolution. No doubt the University would give an equal welcome to any founder who would endow a Chair of later American History. Widening national needs will powerfully influence the further development of its other schools, especially those of Modern and Oriental Languages, Geography, Forestry, Agriculture and Economics.

The truth is that, while Oxford has in her buildings and tradi-

tions all the charms of antiquity, she has also in the life that flows through her streets and quadrangles the qualities of a perennial youth. It is perhaps this combination which has enabled her to weave so strong a spell of influence over succeeding generations of her sons, and not least over those who now come to her in such numbers from the ends of the earth. They have been welcomed warmly at the ancient University, which appreciates their freshness of mind, their earnest outlook on life and their practical turn of thought. College authorities regard them, as a rule, with favor, and, while often critical of their scholarship, agree that the average of seriousness in work among them is high.

The most serious criticism of the American Scholars that I have heard at Oxford is from themselves. They are disposed to question whether America in sending them has sent the best she has to give, and it is a point about which they are sensitive. They have urged that Oxford's demand for Greek cuts out from competition many of those who might most ably represent their respective States. As a slight concession to this opinion, a regulation has lately been made by which the minimum of Greek which is still asked for by the University may be acquired subsequent to election, if the Committees of Selection recognize in a candidate very exceptional ability in other fields of learning. It is even possible that Oxford may soon give up compulsory Greek.

As has been mentioned before, two groups of American Scholars, eighty in all, have already completed their three years' course, and have returned to their own country with such further equipment for the work of life as Oxford training, combined with European travel and observation, can give them. As the will of Rhodes makes provision in perpetuity for the education of two Scholars from each State, this is but the beginning of a long succession of similar groups of Scholars who will year after year return to America with the stamp of Oxford upon them. Those who have returned seem to have dropped without difficulty and apparently with acceptance into educational and professional careers. Judging from these earlier results, within a very few years men with Oxford training will be found in most American Universities and Colleges. This is a fact which should impress on those who select the Scholars a deep sense of the responsibility laid upon them.

There is no doubt that the acceptance of a Rhodes Scholarship

entails on the winner also a good deal of responsibility. A man who gains it is watched with attention and interest by the community which he represents; as a selected man, a good deal is expected from him in the community to which he goes with a prize much larger than what is usually provided there to assist a student's career. He becomes more or less a marked man in whom a large public is interested; whose success or failure is widely noted.

If I were asked to say in a word to what type of man the Scholarship can be most profitably and justly awarded, I would say to a man of power, promise and high character. It was all-round men of character of whom Rhodes was thinking when he outlined the principles on which he wished his men to be selected.

Year by year, those who have won distinction in every walk of life, in literature, art, statesmanship, diplomacy, as viceroys of great provinces and leaders of men, come back to their old University at Oxford to receive the honors she has to give as their highest meed of praise for work well done. The ambition to be placed upon those rolls of honor will not be least, we may be sure, in those who come to her now as Rhodes Scholars from distant lands.

I may be permitted to close this paper with a quotation from an address given last summer to an educational gathering in the State of New York by the American Ambassador to England. He said:

"I have met with these Rhodes Scholars at their annual reunion at Oxford; and I am glad to testify here at home to their admirable appearance and conduct, and to the favorable opinions of them expressed to me by the Oxford dons with whom I conversed. As one saw them together, breaking in upon the cloistered quiet of those historic halls, he might almost imagine himself at a big Middle West college in our own country. He would scarcely be able to single out the German Rhodes Scholars from the rest, and quite unable to tell Americans from Australians or Rhodesians or Newfoundlanders or Cape-Colonists or New-Zealanders. But about them all was the air of new worlds and a new era. One might almost fancy their eyes had already seen the glory of the time when, under the leadership of the English-speaking peoples,

"'The war drum throbbed no longer, and the battle-flags were furled,
In the parliament of man, the federation of the world.'"

Would that the words could reach the ears of the silent sleeper on the Matopos, whose vision they seem to outline.

GEORGE R. PARKIN.

NEW BOOKS REVIEWED.

"The Studies in Mystical Religion,"* by Rufus M. Jones, of Haverford College, is a book tracing the witness and weighing the evidence of mystical experience from its first Christian sources to the end of the English Commonwealth. It is a book of wide and conscientious research, solid and steady structure and noble aim. The style, considering the difficulties of the subject and the kind of reading and study in which the author must long have been immersed, is clear and definite, free of any attempt to dazzle or confuse. Those who have come to feel that the seat of authority in religion lies in the first-hand experience of the soul will turn eagerly to it, opening up as it does so many channels of the spiritual life of the past.

If at first there is a shade of disappointment that the treatment is of the mystic sense as it affected groups of men rather than as it filtered through the individual soul, this is lost again in the appreciation of the value of the historic material here gathered together and systematically set forth. It is quite true that wherever there has been a great mystic there have also been disciples, just as wherever there has been a revelation there have been followers of the light; but it is the initial experience which is most vital, original, yielding to study the most fruitful results; whereas, whenever an emotion, an idea, a perception is captured by the many, it flows over them in shallower spread, at lower level.

Mr. Jones traces the mystic sense from its first sources in primitive Christianity, as it is offered in St. John the Evangelist and St. Paul, through the ministry and organization of the early church; he shows the rebound to prophecy in Montanism, after faith which had meant an inward trust in Christ and response to

* "Studies in Mystical Religion." By Rufus M. Jones. New York: Macmillan & Co., 1909.

Him had become a set of formulated doctrines called "The Faith"; he counts among the elements borrowed from Greek philosophy the influence of Plato, the immense sway of Plotinus and the neo-Platonic school; he sets forth—slightly, of necessity —the mystic elements in the teachings of the Church Fathers, particularly dealing with Gregory of Nyssa and St. Augustine; and, after two chapters devoted to Dionysius the Areopagite and to John Scotus Erigena, he turns entirely to the mystical outpouring as it affected those spiritual groups that spread over mediæval Europe, the Waldenses, the spiritual Franciscans, the Friends of God, the Brotherhood of the Common Life, the Lollards, the Anabaptists, the Family of Love, etc. The Waldensian, the Wycliffite and Anabaptist movement, the author admits, were non-mystical; but he includes them as important in the general trend toward a more inward and personal religion.

He has been diligent in searching the archives and has added new and valuable material in the cases of Amaury and Gerson; and in the Introduction particularly and in the chapters on Eckhart and John Scotus Erigena, he has given eloquent and vivifying expression to the ancient story of the soul's ascent.

The result, as the author tells us, of thirty years of adult religious experience, thought and study, and of the major part of seven years of actual composition, Baron von Hügel's study of the mystical element in religion* is a great mine of thought and fact, containing the stuff of a half-dozen books. It is less a biography of that almost unknown saint of the latter half of the fifteenth century, Caterinetta Fiesca Adorna, than a study of the course and validity of the mystical sense illustrated by this unusually healthy-minded and independent saint.

The book has a treble interest, historico-critical, philosophical and religious, and of these the first two are the more interesting. As Rufus Jones used a study of the mystical consciousness to lead up to the doctrine and discipline of the Friends, one of the broadest and freest of Christian sects, so Baron von Hügel uses the same material to prove the eternal and lasting predominance of the Roman Catholic Church, which contradiction is no censure

* "The Mystical Element of Religion, as Studied in St. Catherine of Genoa and her Friends." By Baron Friedrich von Hügel. New York: E. P. Dutton & Co., 1908.

or depreciation of the mystic sense, but merely tends to show how its breadth and charity can carry any number of little human sects upon its bosom.

The mystic who has most pronouncedly influenced Baron von Hügel is St. John of the Cross; and it is noteworthy that his subject, St. Catherine, drew her inspiration, after the Johannine and Pauline writings, from Dionysius the Areopagite and that exquisite Franciscan poet, Jacaponi da Todi.

The first essay in the book is an extremely stimulating and interesting study on the triad of principles in the religious life in which the author asserts that no religion can be adequate that does not take into account both multiplicity and unity and offer both elements to the seeking soul. He points out that as the appeal to a child is ever external and traditional—literally an object, a symbol and a story—so the appeal to youth is rational and speculative, calling upon the reasoning, argumentative, abstractive side of nature; whereas, in maturity, having seen the limits set to human reason, man has recourse to an active and volitional religion, a religion tested by deeds and proved by feeling which the author calls "experiential mystical."

He traces this development of the religious sense through the life of man, through the history of thought, in a way full of stimulating suggestion; and it would be a valuable contribution to the history of mystic thought if this portion of the book might be more fully elaborated and made into a volume by itself.

The second volume of this work is a study of the psychophysical temperament as exemplified in the Saint of Genoa, her obligation to the writings that touched her, her doctrines of conduct, and a final summing up of the whole book tracing tendencies through asceticism, social religion and the scientific habit of mind to the mystical element in religion.

The author's subject is a difficult one, and his style is more than necessarily obscure. The book loses by being over-weighted, but it is a valuable addition to the scholarship and research of mystic literature. No one who attempts to know the strain of mysticism that runs through philosophy or religion can afford to pass the book by.

Mr. Gardner is generally an admirable biographer, learned, judicious, a man of letters as well as a scholar, at home alike in

the Middle Ages and the Renaissance. He seems, also, in perfect accord with the church to which St. Catherine gave such splendid devotion, such incomparable obedience. In his Life* of her he has called up again the figure of Catherine Benincasa in her habit as she lived; shown her delicacy of feeling, her impassioned piety, her sound sense, her practical enthusiasm—but the *saint* he has not shown. He records with untroubled historic calm her ecstatic visions, her insensibility to pain when in trance, her clairvoyant power, her living upon the Blessed Sacrament alone for long periods, her receiving the supreme grace of the stigmata. So did the Seraphic Virgin live and strive—so did she die daily for humanity; but when all is said, why seraphic? This is the trouble. To her biographer, acute, scrupulous, loyal, has been denied the unique thing which made up the life of his saint —the mystic consciousness. Therefore the book leaves the reader cold and unilluminated. Had Mr. Gardner loved the saint a degree more, he would have refrained from writing, would have waited for one more illuminated. Yet this book could ill be spared. So far as this world goes, it is extraordinarily alive and interesting. The writer has had access to the secret archives of the Vatican, has thrown new light on the Great Schism and related that episode with extraordinary lucidity and impartiality.

The book has not the charm or the zest of his books on Ferrara, but it has all the learning of his books on Dante and yet more humanity. And taking into account how difficult it is for the modern Anglo-Saxon mind to relish the amorous phraseology of the more romantic Latin in dealing with sacred subjects, one is glad that the spiritual espousals of the soul to its Lord should have been treated by an English gentleman, clear-eyed and healthy-minded, and with the spiritual humility which accepts though it cannot understand. This book, with all its historic accuracy and careful research, still leaves room for a Life of St. Catherine the mystic.

Some twelve years ago Mr. William T. Brooke, of the British Museum, picked up a little manuscript book of poetry on a street book-stall for a few pence. It was unsigned and gave no clue to authorship; but Mr. Brooke, whose knowledge of English

* "Saint Catherine of Siena." By Edmund J. Gardner. New York: E. P. Dutton & Co., 1908.

sacred poetry is as extensive as that of any man living, at once recognized that it was great work by a great hand. The story of how the finder, with the help of Dr. Grosart and Mr. Bertram Dobell, searched the British Museum manuscripts for a clue, the discovery of the two prose volumes containing some of the poems, and the careful reconstruction of the life and the work of Thomas Traherne, B.D. (1636?-1674), is one of the most romantic in the history of literature. Two centuries and a quarter after the author's death, Mr. Bertram Dobell brought out the first edition of Thomas Traherne's Poems and last year saw a reprint of his "Centuries of Meditations."*

Traherne is a mystic of the type of Blake and Whitman, born with trailing clouds of glory still clinging to his perceptions: "Certainly Adam in Paradise had not more sweet and curious apprehensions of the world than I when I was a child." And although his vision was for a time obscured by a mischievous education, he reached it again, never to let it go.

"The image of God implanted in us guided me to the manner wherein we were to enjoy. . . . To enjoy the treasures of God in the similitude of God is the most perfect blessedness God could devise. . . . I was most infinitely satisfied in God and knew there was a Deity because I was satisfied. For in exerting Himself wholly in achieving thus an infinite Felicity, He was infinitely delightful, great and glorious, and my desires so august and insatiable that nothing less than a Deity could satisfy them. This spectacle once seen will never be forgotten. It is a large part of the beatific vision. A sight of happiness *is* happiness. It transforms the soul and makes it heavenly, it powerfully calls us to communion with God and all His creatures and makes us to see them in a divine and eternal light."

This representative passage gives a good idea of the author's approach to life. Mr. Dobell claims for the "Centuries" the place in Protestant hearts held by the "Imitation" among Catholics. But exquisite in spirit and style as is this book, no such division can be made. There will always be a large majority who see the misery of human life and to whom deliverance can only come by much suffering and discipline, while here and there, oftener and oftener, one hopes, will come a "once-born," who from the beginning feels the Kingdom of Heaven within and has only the vision of innocency and joy.

* "Centuries of Meditations." By Thomas Traherne (1636?–1674); edited by Bertram Dobell. Published by The Editor. Charing Cross, London. 1908.

This reprint, one may safely say, is the most valuable contribution to mystical literature since the "*Theologia Germanica.*"

With the help of wide margins and thick, soft, yellow paper, "John the Baptist"* fills out a large square apple-green volume. This is a terrible play in its brevity, truth and dramatic command—bare and bald as a fleshless skeleton and almost as dreadful. It is the work of a master who feels, for the moment, not weakened, only very old and very tired. Salome and Herodias smile subtly like a pair of Leonardo's women; and the common people, oppressed by Rome and the Law, stagger in the streets and faint in the desert just as Holbein might have painted them. But the figure of the precursor is racked with the pangs of this, our own century, torn with our doubts, wasted with our questionings. A power is on him greater than himself; and dimly he finds out that the clue to the universe is not wrath, but love; and in the light of that knowledge he goes smiling to the marriage feast; for "out of no man's mouth may the name of sin sound, save out of the mouth of one that loveth."

The author of "Sodom's Ende," "Johannesfeuer" and "Die Ehre" is a great master and a man of great ideas, and he never quite forgets his wrath against the mammon of unrighteousness. "Renegades will ye be unto all eternity," he cries, "ye men of universal utility who manure your acres with the blood of those who have died for you." He has chosen here to utter once more a pain deeper than our social travail, and—being himself—he offers no anodyne, only a clue. A poignant book like this, however grim, sinister and austere, is yet a poignant good.

"Tono-Bungay"† is a novel, big, human, noble, serious, vital, worth while. Here are not the conventions of the novel or the theatre, but the concerns of real people, their dominant preoccupations and their scale of values. Mr. Shaw, too, has tried to show these, but he does not convince because his figures are hollow inside despite their wit and sentiment. George Ponderevo is not hollow inside. While not so great, he is as faithfully portrayed, as absolutely real, as Emma Bovary. Furthermore, here

* "John the Baptist." By Herman Sudermann. Translated by Beatrice Marshall. New York: John Lane & Co., 1909.

† "Tono-Bungay." By H. G. Wells. New York: Duffield & Co., 1909.

is an Anglo-Saxon book that deals with men as men and women as women as straightforwardly as a Continental. This is not merely something written to exploit theories or politics; it is not even a mere transcript from life; it is a Book.

Mr. Orcutt places his new story* in Florence and Fiesole, where his hero and heroine repair for their honeymoon and the following winter. Friends and villas and motor-cars are at their disposal, and one might look to see the course of true love run smooth. The young husband, however, falls under the spell of intellectual preoccupations—so we are told—and neglects his wife. It is a theme as old as Lucretius. The wife, in this case, furnishes her husband with an intellectual affinity in the person of her closest girl-friend, and here we have at once the material of the drama. The happy ending and general reconciliation, with everything as good as new, or better, emerge promptly in the last chapter, and the only matters left wholly in the shadow to stimulate our curiosity are the names of the writers who exercised the spell. They are never more definitely named than "the old-timers," "the ancient writers" and "the humanists"—a goodly army, indeed, to be concerned in so small a game as a honeymoon misunderstanding.

The hand being forever still that wrote this charming little romance, "Katrine,"† it is with real regret that one chronicles its vivacity, wit and insight. The dashing Irish folk, ranging from Dermott McDermott, with his lies, his chivalry, his generosity, to the old nurse Nora, who tells her charge that "to the Irishwoman the drame [of love] comes but wanst," show up well and vividly against the rather faded and pale Southern Aristocracy with their false ideals and paltry traditions. One could almost wish the lovely and gifted Katrine, direct, elemental, loving and strong-souled, could have forgotten the weak-kneed Southern lover and escaped his plantation and his hopelessly silly mother. However, that is not the story, but rather how she trained the man into a worthy and fine being and how wherever she went she carried with her high courage, genius, beauty and sunshine.

* "The Spell." By William Dana Orcutt. New York: Harper & Brothers, 1909.

† "Katrine." By Elinor Macartney Lane. New York: Harper & Brothers, 1909.

WORLD-POLITICS,

LONDON: PARIS: WASHINGTON.

LONDON, *May, 1909.*

SPECULATION has been on edge for some time to see how the Chancellor of the Exchequer would surmount the financial difficulties of his problem. That there would be a deficit and a heavy one every one knew. The increase in the Navy Estimates, the cost of financing the Old-Age Pensions scheme, and a year of commercial depression had combined to make it inevitable that expenditure should have outrun receipts and that new taxes would have to be imposed. Writing in the March number of this REVIEW I observed: "No one can yet say definitely how much the Chancellor of the Exchequer will be obliged to raise by fresh taxation if he means to pay his way; but $75,000,000 does not appear to be an extravagant estimate." The figure mentioned has turned out to be the precise figure of the deficit. Mr. Lloyd George made a welcome innovation by circulating before the introduction of the Budget a memorandum setting forth the revenue and expenditure for 1908-09 and the estimated revenue and expenditure for 1909-10 on the existing basis of taxation. The memorandum showed that the year 1908-09, instead of yielding a surplus, had produced a small deficit of some $3,500,000—a deficit that would have been much larger but for heavy clearances from bond in the last quarter of the year to avoid the new taxes. For the ensuing year the revenue, on the existing basis of taxation, was estimated at $15,000,000 less than in 1908-09, and the expenditure at $60,000,000 more. But while Mr. Lloyd George's anticipatory memorandum showed that he would thus have to meet a deficit of $75,000,000, it did not show how he would meet it. The secret, of course, was not disclosed until the Budget speech. Everybody sympathized with Mr. Lloyd George's

position. It was his first Budget. It was also the first time since they came into office in 1906 that the Liberals have been confronted with a deficit. In the first three years of their administration they paid off debt to the extent of over $200,000,000; they halved the sugar tax, repealed the coal duty, halved the increase of the tea duty, reduced the income tax on the smaller earned incomes by threepence in the pound, and lightened the annual burden of taxation by some $35,000,000. Now, however, they were face to face with the results of remissions that may perhaps have been premature and injudicious and of expenditures on Old-Age Pensions that they had piled up with no sparing hand. Within the limits of the cardinal Free-Trade doctrine of a tariff for revenue only, they had somehow or other to squeeze $75,000,000 out of the pockets of the people. The Tariff Reformers, I need hardly say, watched their dilemma without any great solicitude, reckoning that Mr. Lloyd George's proposals, whatever they might prove to be, would merely proclaim the bankruptcy of Cobdenite finance, and that the heavier the burden of direct taxation the more inclined would England be to resort to their panacea of Protection. The situation, in short, when Mr. Lloyd George rose on April 29th to unfold his Budget, was as replete as it well could be with all the elements of national, party and personal interest.

In the event Mr. Lloyd George produced a bold and momentous Budget and made a bad speech. He spoke too long—he was on his feet for four hours and a quarter—and a great deal of what he had to say took the form of a series of essays or manifestoes on the future policy of the Government. Except that they showed the unescapable connection between finance and social reform, these essays or manifestoes, which their author read off at breakneck speed, were not very relevant, were decidedly wearisome, and ended by obscuring Mr. Lloyd George's proposals in a mist of words. Even now, nearly a week after the speech, a great deal of uncertainty exists as to the details of the Chancellor's scheme, and Mr. Balfour who criticised it very skilfully and effectively on May 3rd had to confess that he was speaking from an inevitable half-knowledge. But the broad principles and aims of the Budget may at least be disentangled. First of all, Mr. Lloyd George largely extended the system of graduation in the Income Tax. For the future all earned incomes

below $10,000 will pay as now at the rate of three and one-half cents on the dollar; but the rate on earned incomes above $10,000 and on all unearned income will be raised from five cents to six cents. In the case of incomes above $25,000 there will be a super-tax of two and one-half cents on the dollar on such portion of the income as exceeds $15,000. At the same time, there will be an abatement of $50 per child for all children under sixteen on incomes below $2,500. Secondly, Mr. Lloyd George established a scale of License Duties which, for the first time, will make licensed premises pay in proportion to the real value of the monopoly given them by the State, and from this source he expects to obtain $13,000,000. Thirdly, he raised the Death Duties. In future an estate of over $25,000 will pay four per cent.; over $50,000, five per cent.; over $100,000, six per cent., and so on, till estates of over $5,000,000 pay fifteen per cent. Fourthly, Mr. Lloyd George imposed an extra ninety-four cents per gallon on spirits and an extra sixteen cents per pound on unmanufactured tobacco. Fifthly, he increased the settlement, legacy and succession duties. Sixthly, he hopes to raise over $3,000,000 by adding to the stamp duties on transfer or sale of property, on bonds to bearer and on transactions in shares. Seventhly, he taxed motor-cars at rates varying from $10.50 on a car under six horse-power to $300 on cars above sixty horse-power and imposed a duty of six cents a gallon on petrol. The proceeds of these two taxes, however, are to be devoted, under national authority, to repairing, extending and improving the road system of the country. Eighthly, Mr. Lloyd George clapped a tax of twenty per cent. on the unearned increment of land and a tax of one-fifth of a cent on the dollar on the capital value of undeveloped land and on undeveloped mining rights. Ninthly, the old sinking-fund, by which any surplus of revenue over expenditure went to reduce the Debt, is now to be added to a fund for agricultural development. Tenthly, the fixed sum set apart for meeting the interest on the Debt is to be reduced by $15,000,000 a year.

Unquestionably this is a very remarkable, courageous and contentious Budget. It is destined, like Sir W. Harcourt's Budget of 1894, the Budget that reorganized the Death Duties on their present basis, to mark an epoch in British finance. In its high license duties and its graduated dealings with the income tax it expands principles that were already a part, but an undeveloped

part, of the British fiscal system. In its assertion of the right of the State to share in the landlord's unearned increment, and in its taxation, tentative as it is, of land values, it introduces, for the first time, principles long advocated by reformers, but never until now endorsed by any Chancellor of the Exchequer. It is emphatically a Free-Trade Budget; every penny it produces goes into the Treasury. It is not less emphatically a democratic Budget. It places the heaviest burden on the shoulders best capable of bearing it. It spares the necessaries of life and taxes the luxuries and the superfluities. It does not exempt the poor, but it touches them only in their indulgences, their whiskey and tobacco. A hostile critic summed it up as a Budget that encourages birth, discourages death and makes life intolerable in between. It is certainly a Budget that makes the rich man disgorge effectively. It will be violently opposed by the Unionists, by the brewers, by the Irish members (whose opposition, however, is confined to the extra tax on spirits), by the City men, by motorists, by all landowners, and by most of the well-to-do. It ought, on the other hand, to be popular with the great majority of the middle class whose incomes are less than $10,000 a year, and it is, I think, certain to be popular with the masses of the people. Nevertheless, it is an extremely complicated Budget, and arouses antagonism among a multitude of formidable interests. Already it is clear that an agitation is to be set on foot against it as a "Socialistic" experiment. I think it probable that as time goes on some of its provisions will have to be dropped and others simplified; and I am very confident that only skilful piloting will avail to steer it through Parliament. The House of Lords is already being urged to reject it, the Lords will have sense enough not to heed such suicidal advice. The Tariff Reformers are exhausting their vocabulary in abusing it, but in their heart of hearts, I fancy, they must recognize that it has fairly "dished" them. For the outstanding feature of the Budget is that it taps new sources of revenue which are bound to prove enormously and increasingly productive in the near future, if not at once, and that it must therefore be judged not merely for what it is, a potent instrument for social reform and a provision for the needs of the coming year, but as a scheme for meeting the requirements of many years to come so amply that it will render Protection superfluous.

PARIS, *May, 1909.*

FRANCE has not yet recovered from the bewilderment and panic caused by the postal strike. The sensational disclosures concerning the Navy which we daily read in the papers, and which, in other circumstances, would create a tremendous sensation, pass almost unnoticed. For once the chronology of events happens to be logical: certainly the latent reconstruction of a country by such deep and active influences as those which we have just seen at work is of wider import than even a long chain of errors and the wasting of billions where the national defence is at stake.

The postal strike is the most startling, but not, by any means, the most important episode of the evolution known as the Labor Movement. The public, no matter how enlightened, takes little interest in those low-life technicalities. They are dry reading, both wearisome and disquieting, and, somehow, always manage to look unreal. The ridiculous failure of the attempt at a general strike on May 1st, 1906, confirmed practically the whole country in a serene disbelief of any real danger from working-men's conspiracies. The birth of the federation of trades-unions' councils known as the C. G. T. (Confédération Générale du Travail), with the preparation of the General Strike as its avowed object, was certainly pointed out as the appearance of a most dangerous power, but even the Government declined to fight it in its cradle. Every now and then some disturbance of an exceptionally shocking character, for instance, the bloody scenes at Draveil or the Electricians' Strike (in the winter of 1907), would elicit a transient outcry against the anarchists at its head; but the revelation of it as a counterpart of the State within the State did not come home to the majority even of Deputies, and the attention given to its rapid progress remained almost exclusively academic. We must say that the mass of literature, mostly, of course, from the pens of jurists on the subject, is enormous and ought to have arrested even the casual observer; but things have only two ways of forcing themselves on general attention in this country, literature or catastrophic suddenness, and the publication of an article in the "*Correspondant*" on the remarkable socialist, George Sorel, only came two or three months before the postal strike. Even this did not at first shock the Parisians very much. Never was the good-humored levity of the national disposition better illustrated than during that blank empty week. Amuse-

ment was the dominant note; it was amusing to see soldiers sorting letters which nobody delivered, amusing not to hear any news, and amusing to see popular men with evidently the right on their side coolly refusing to negotiate with the very unpopular country doctor, their chief or martinet; there was little surprise when, on the second or third day, the Marquis de Montebello, President of the League of Telephone Subscribers, brought encouragement and money to the rebels, and the protest in commercial circles was at no moment very strong. It was only towards the end of the strike that Pauron, the ringleader of the postal linemen, whispered to eight thousand men,—so breathless and silent that not one syllable was lost,—the communication made to him by the famous Pataud to the effect that in case of the least resistance on the part of the Government he would stop the electric light in Paris, as he had on two previous occasions, and arrange for an immediate strike on the State railways.

In any other circumstances this might have been thought brag, but the atmosphere being what it was, everybody felt that the electrician was like the madman with a lighted pipe near a barrel of powder, and terror was deep and universal. From that minute the C. G. T. became as familiar a bugbear as it had seemed chimerical. One realized that the General X whom the royalists are incessantly praying for is actually present among us, but in the guise of an unknown workman at the Bourse du Travail, and the common feeling at the end of a few hours was a passive admission of the reality of the danger with an expectation of catastrophe as unreasoned as the denial of its possibility was premature. In a few days you might read in such a paper as *"l'Eclair"* a statement on the necessity of giving the union a share in the Government and legislation. It is needless to speak of the triumph of the Socialist papers. The accession of the postal men, so far regarded rather as a *bourgeois* association, was an unhoped-for success opening up wonderful prospects. Clearly this tremendous bound forward of the power of association has been a revelation as well for those who welcome as for those who lament it. There is no exaggeration in saying that the light in which public events will henceforward be seen is entirely new.

Nobody has lost so much in this reversion of standpoint as the would-be tyrant whose fast increasing unpopularity I noticed

in my last letter, viz., the Chamber. The foreign press naturally insisted on the defeat of Government by the strikers, but this was an error of perspective almost unavoidable by people used to personal government of some sort. In France, where the feeling has been for thirty years—since the fall of Marshal MacMahon—that the Chamber is the only ruler, Clemenceau appeared, no doubt, in a false position, but the Chamber looked decidedly more beaten and ridiculous withal. Some independent deputies—M. de Mun, for instance—who had long warned Parliament against a crisis of this kind, took a mischievous pleasure in describing their colleagues' alarm and scandalized amazement. But the Parliamentary reports were sufficient to impress even outsiders with the crestfallen attitude of the majority. The questions put to M. Clemenceau and M. Barthou, even from the Socialist benches, were so destitute of urgency that they sounded like schoolboys' lessons. If the Government had been the routed party the Chamber would have overthrown them at a minute's notice, as they have done forty times before—remember especially M. Delcassé's shameful dismissal—but the Government never was so strong in Parliament as when its power was only a name. The deputies felt that this was no time for joking.

There was something unspeakably funny in the old appeal from the advanced press, like the "*Rappel*" and the "*Lanterne*," to the "republican feeling" of men who only meant business and expressed absolute contempt for empty words. We could see on the occasion of a meeting at the Sociétés Savantes, on April 2nd, what had become of the so-called "republican discipline"—*i. e.*, subordination to a superannuated political creed. A few deputies, MM. Steeg, Reinach, Buisson, Paul Boncour, etc., one or two of whom have honestly tried to raise Parliament above purely verbal politics, had taken seats on the platform and expected a cordial welcome from the audience. They were hooted down in a few minutes as belonging to a body decidedly regarded as a pack of lying *bourgeois*. Two days later, at another large meeting of nine thousand men at the Hippodrome, a State servant, M. Janvion, was perfectly explicit. One or two pithy sentences of which he delivered himself are likely to remain historical. "We are told that we are endangering the Republic. Indeed! The anti-republican reaction concerns us very little. We know only one class of opponents: not the *réactionnaires* (the

anti-republican opposition), but the *actionnaires* (shareholders). This Republic is only a caricature of monarchy, and we do not care for the Government which rules us: we have two Bastilles to take by storm; first Parliament and afterwards the State."

Addressing the same meeting, Pataud proposed the formation of a committee of twelve from various unions of officials, in imitation of the Electricians' permanent strike committee, so as to secure an effective preparation for a strike on a larger scale than that of the postmen, and his motion was adopted with unanimous applause.

The fact that even M. Clemenceau shrinks from having the C. G. T.—where this committee will find its natural home—dissolved, and a supremely dangerous revolutionist, like Pataud, arrested, shows the gravity of the situation. Two powers are in evidence: the working classes represented by the C. G. T. and the *bourgeois* classes represented by the Chamber, and their fighting ground is to-day perfectly definite. The old fallacy of one France united in common devotion to one republican ideal is exploded. Two interests are face to face and will not be reconciled by fine speeches or by such shams as the Income Tax Bill. The proletariate has organized itself privately, and has to be both legally organized and checked, or the rickety frame of our Society goes to pieces.

As a matter of fact, the Government looking to the more immediate danger are preparing a Bill defining the status of State servants, which will come under discussion in a few days, and will, it is hoped, remove at least the danger of another postal strike.

The question is: Is it not too late to tame into obedience men who have just become terribly conscious of their strength? Very naturally the Socialist press and very stupidly the opposition papers say that things are past recovery. Without prophesying let us see at least how matters stand.

I have not the space for a description of the "Syndicalist" organization at large, which, moreover, I have sketched in a previous letter. I must limit myself to the trades-union movement among officials. But the reader should bear in mind that French trades-unionism is distinctly revolutionary, that is to say, that the peaceful and conservative spirit which it often possesses in England, America and Germany only exists in this

country in a federation or two, that a "syndicate" is practically always directed *against* somebody or something, and that the whole syndicalist movement has been slowly evolved from the *bourgeois* doctrines of Socialism or collectivism, by working-men who understand it thoroughly, and will not let any outsider—were it Jaurès himself—interfere with it. Consequently when we speak of the progress of trades-unionism among State servants, we mean a powerful reaction against the centralizing spirit of the third Republic and not only a striving after corporate aggregation.

This was not recognized from the first. It is a curious fact that the first trades-unions formed by officials—those of the *cantonniers,* inferior postal agents, and arsenal workmen—were encouraged by the Government.

But this attitude dates from 1902, when M. Combes was in office, and when internal disturbances were, thanks to the Bloc, regarded as quite as impossible as a European war, and the sanguine Ministers were those cheerful subverters, M. Pelletan and General André.

However, even in those palmy days there was no unanimity in the Government on the subject, and M. Dubief, the then Minister of Public Works, obtained a decision from the Council of State against a union of sewermen. Two years later M. Rouvier prophesied what the result of the corporate movement among the postmen would be in terms which to-day appear of startling accuracy.

Instead of wavering between tolerance, prohibition and prophecy of evils, the Government would have been wise to pass a law against the spoils system scandalously flourishing in Parliament. A clear, legal text securing officials against the interference of deputies in local nominations and promotion would certainly have made such an unheard-of rebellion as the postal strike impossible. But the Chamber could not muster up courage to undertake its own reformation, and a policy of ashamed distrust of the unions only drove them faster in the direction of the C. G. T. Numberless "friendly societies" were founded (under the Act of 1901 on Associations, which is much more liberal than that of 1884 on trades-unions), especially among elementary school-teachers and postmen, and the members of these societies managed in many cases to get affiliated to the Trades-Unions' Councils. This

process is no doubt very illegal, but admission into the *Bourses du Travail* gives them a show of right to enjoy the benefit of the Act of 1884 and to claim the right of striking, which is the supreme object of their ambition. At the present moment the wave carrying Labor towards syndicalism can be said to be universal, and the tendency, among officials as well as in private industries, is in the direction of an arrangement enabling them —as the postmen very candidly said the other day—to treat on a footing of equality with the Ministers who employ them. This means nothing if not using the right of striking whenever they think themselves ill used. And this is what recent events have shown to be unbearable.

The solution propounded by the Government is a law defining the rights and duties of officials and putting an end to the wrongs they justly complained of. There is no mention in the text of affiliation to the trades-unions, and striking is an impossibility, but to an unbiased mind this limitation is a *prima facie* necessity.

The question is whether the postmen and teachers will see the law in this light. The leaders of the C. G. T. point out to them that this charter of their rights in reality binds them hand and foot, and now that they have tasted the pleasure of being revolutionists and no longer servants they will think that the argument has some weight. But the *bourgeois* element in them is strong, too; and an interview with the President of their Reading Committee, M. Demartial, shows that they still realize the stability and advantages of all sorts of their situation. The probability is that the postal clerks will affect to regard the law as a victory and rest satisfied in their offices, while the linemen, for instance, and generally the inferior agents, will grumble and try to dodge the law by individually joining trades-unions akin to their own.

This state of things leaves the syndicalist question where it was, and the C. G. T. remains a permanent danger; but the risk of another postal strike will be removed, or at least limited to the mechanics employed on the lines. Is this a small or a considerable gain? In spite of the prevalent terror, and of the ominous statements in the press, it seems to me that the commotion created by the strike enables us to appreciate the comparative security.

WASHINGTON, *May, 1909.*

THE Payne Tariff Bill, when it passed the House, was very far from satisfying those who during the campaign had demanded or promised a downward revision of the Dingley tariff. Such a thing, indeed, as a revision upward was never heard of at that time. It is important to keep in view the fact that the Payne Bill itself represents a glaring breach of faith, because, should the Aldrich Bill as it passes the Senate prove even more disappointing—which is almost certain to be the case—the utmost to be hoped for is that the Committee of Conference will restore the provisions of the Payne project. The conferees can do no more, they can adopt no innovations. Contrary to a current impression, the members of that committee are restricted by law to a choice between the wishes of the Senate and the wishes of the House, as these are embodied in the tariff bills emanating from those bodies, respectively.

Not in all, but in some very important, respects the duties levied by the Senate are heavier than those which were imposed by the House. To take a striking example, the Finance Committee of the Senate saw fit to assess iron ore at twenty-five cents a ton, and this proposal was adopted by the Senate on May 13th. Under the present (Dingley) law, iron ore is assessed at forty cents a ton, but the Payne Bill placed it on the free list. The assessment of iron ore at twenty-five cents a ton is a serious blow to the downward revisionists, because it implies that all the products of the raw material are also to be heavily burdened. In other words, the evidence given by Mr. Carnegie and other experts in steel manufacture is to be disregarded by the Senate. It cannot be pretended that the Senate imposed a duty of twenty-five cents a ton on iron ore for the sake of the addition it would make to the customs revenue; as a matter of fact, the whole estimated revenue from iron ore—the Cuban product which comes in under a reciprocity treaty being left out—is only $127,000.

It is true, on the other hand, that in some particulars the Senate has reduced the duties levied by the Payne Bill. Hosiery is an example. This commodity pays under the Dingley law a revenue of $4,000,000 annually. The Payne Bill raises the duty from sixty-five per cent. to eighty-five per cent., and the Senate cuts it down to the existing sixty-five per cent. It appears that as to the cheap grade of stockings (those that sell for five, ten

and fifteen cents per pair), the domestic manufacturers now have the American market to themselves, the duty making it impossible for the foreigner to compete. The same thing is true of silk stockings and cashmere hosiery of fine grades. On the stocking, however, that now sells for twenty-five, thirty-five and fifty cents per pair, the Dingley law, with its duty of sixty-five per cent., has enabled the foreigner to compete, with the result that the consumer has got a good stocking and the American manufacturer has been forced to keep his business up to date—the proof of which is to be found in the fact that even during the recent panic the hosiery manufacturing business of the United States showed a large profit. We repeat that the Government also received an annual customs income of about $4,000,000 from imported hosiery of the grades in question. Should the duty be raised, however, to eighty-five per cent., the Government will obtain no revenue whatever from these grades of hosiery.

It is a memorable fact that, when the Senate Finance Committee's amendment placing a duty of twenty-five cents per ton on iron ore came to a vote, no fewer than eighteen Democrats voted in the affirmative and only ten Democrats in the negative. This extraordinary action, on the part of so many Democrats, was ascribed by some newspapers to brief speeches by Senators Bailey, Money and Daniel in which they maintained that, as it was necessary to impose duties on some articles in order to obtain sufficient revenue for the Government, iron ore was one of the imports which properly might be taxed. As we have already pointed out, there is absolutely no basis for the selection of iron ore with a view to the replenishment of revenue, since the whole income expected from the duty imposed on this commodity falls short of $130,000. The New York "Evening Post" puts its finger on the truth when it says that the reason why eighteen professed Democratic Senators voted to put a duty of twenty-five cents on iron ore is because no such thing as a Democratic party exists. With brains and principles both out of it, why should it pretend to be alive any longer. The eighteen Democratic Senators evidently forgot that free iron ore was one of the cardinal features of the Wilson Bill, as it passed the House in 1894. While the iron and steel schedule was under debate in the House, two proposals were made to put a duty on iron ore, but both were voted down. The duty was put back, however, by the Senate in

1894, as it was on May 13, 1909; but this was one of the things which President Cleveland had in mind when he denounced the changes made in the Wilson Bill by the Senate as "a work of perfidy and dishonor."

From a colloquy which took place between Senator Bailey and Senator Aldrich in the week ending May 15th, we infer that a vote on the proposed income-tax amendment of the Payne Bill will be reached at any moment. Can such an amendment be passed? The passage would require the votes of all the Democratic Senators and of at least fourteen Republican Senators. A belief is current that at least one Democratic Senator will be found voting in the negative, and not much confidence is expressed in the staunchness of all the fourteen Republican Senators credited to the insurgent list.

To sum up, it is already patent that those who had hoped for a sweeping revision of the Dingley law downward are bound to be disappointed. It is not for a moment to be expected that the Conference Committee will produce a measure made up of all the merits of the Payne Bill *plus* all the merits (if any) of the Aldrich Bill. The chances are that the outcome of the conference will be something decidedly inferior to the Payne Bill, which itself, viewed by and large, is by no means an improvement on the Dingley law.

How is President Taft likely to deal with such a measure? Will he veto it, or will he let it become a law while expressing his personal disapproval of it, as President Cleveland did in the case of the Wilson Bill after it had been emasculated by Mr. Gorman in the Senate? In Washington not one man in a hundred believes that Mr. Taft will withhold his signature.

THE EDITOR'S DIARY.

The Powers and the Hague Tribunal.

THE Temple of Janus used to be open in time of war; it was closed—all too seldom—during the prevalence of peace. It seems to be otherwise with the Temple at The Hague. When the world is at peace, its doors open and the delegates of the peoples enter its sacred precincts to discuss and formulate the rules under which conflicts shall be conducted when again one nation flings down the gage of battle to another. But when war actually breaks out, or when rumors or apprehensions of war are rife, there seems to be no recourse to the mediating offices which, it was fondly hoped, were to inaugurate a condition of millennial harmony among the great Powers of the earth.

In his Homeric work on "The Invasion of the Crimea," Kinglake describes the emotional wave of desire for peace at any price which, as a result of the optimistic anticipations engendered by the first International Industrial Exhibition at the Crystal Palace, swept over a considerable proportion of the population of England. Referring to the fantastic appeals made by visionary orators to responsive audiences to see to it that, so far as their influence could go, swords should be beaten into ploughshares and war should be studied no more, he records this significant fact: "The woman would subscribe, if her husband required it, to have this doctrine taught to charity children, but she would not suffer it to be taught to her own boy." Deep down in the gentle nature of the Englishwoman there survived from the ages of storm and stress a primal element—an approval of physical conflict—which determined her preferences and practical opinions.

For the present, at least, this primal element, common to the characters of the great Powers, appears to decide their attitude toward the Tribunal at The Hague. Irksome questions between a great Power and a country of secondary importance may be

submitted to arbitration by this International Court. But, as between the great Powers themselves, it seems as if the principle illustrated by the life and practices of the Highland freebooter, Rob Roy MacGregor, is still of potent dominance:

> "The good old rule, the simple plan,
> That he should take who has the power,
> And he should keep who can."

Assuming that the hopes of the pious friends of peace had some foundation, that The Hague Tribunal should exercise a moderating function among the discordant claims of the nations similar to that discharged by our Supreme Court as between the States of the Union, there could scarcely be imagined an occasion when its judgment could more properly have been appealed to than was created by the action of Austria-Hungary in annexing Bosnia and Herzegovina. The international law of Europe had been deliberately and cynically violated. But never, even among those who most bitterly resented the indefensible action of the Dual Kingdom, was there a suggestion that the Powers should repair to the Tribunal at The Hague for its judgment upon the rights and wrongs of the case. The old *régime* was instinctively followed. There was a demand for a Conference of the Powers to consider the situation, and the demand was acquiesced in by the party most interested only on condition that the Conference should condone formally the Imperial breach of faith and regularize the territorial result of the Imperial violation of law. Then there was a careful calculation of military power, a forecasting of the possible outcome of a clash between the forces that would support and those which would oppose the action of Austria-Hungary, with the result that the flagrant theft of the Balkan provinces is now placidly regarded as a *fait accompli*. War was averted, as of old, simply by nervous fear as to what the consequences of war might be.

In view of such happenings, it seems futile to hope that the Tribunal at The Hague will speedily exercise a conclusive and paramount influence upon the actions and relations of the great nations of the earth; but is not the day coming when it must eventually do so, in large measure at least, for the maintenance of the old *régime* is becoming every year more and more burdensome and oppressive?

ESPERANTO NOTES.

THE number of Esperanto societies known to exist up to March 5th last, as reported by the "*Oficiala Gazeto,*" is 1,327. Esperanto Consulates are now to be found in 317 towns, 265 of these being in Europe. There are 129 professional and specialist Esperanto groups and eighty-three Esperanto journals. Other items of progress reported are as follows:

"The Corporation of Rouen has voted 50 francs toward the propaganda work of the Esperanto Group, which has also received a donation of 100 francs from the 'Société Libre d'Emulation du Commerce et de l'Industrie.' In St.-Etienne, the Corporation, by 35 votes to 1, has lately granted a subvention of 300 francs for Esperanto propaganda and a public evening class. The Esperanto Group at Toulouse has received from the municipal authorities a donation of 300 francs.

"An instance of how Esperanto may be used by scientists is afforded in a circular sent out by an Organizing Committee of Congress as a supplement to the Esperanto medical monthly, '*Voĉo de Kuracistoj,*' inviting doctors throughout the world to take part in the Eighth International Congress of Hydrology, Climatology, Geology and Therapeutics. The Congress was held at Algiers from April 4th to 10th, under the patronage of the Governor-General of Algeria.

"*Chinese Students and Esperanto.*—Among the pupils in the Esperanto course at the Berlin Group are two Chinamen, Doctors S. G. Ling and S. W. Lai, both sent to Berlin by the Chinese Government to study German teaching methods. Their Esperanto pronunciation is very good, and they aver that Esperanto is very easily learnt by Chinamen.—Many Berlin doctors have joined the local branch of the Tutmonda Kuracista Esperantista Asocio (World-Association of Doctors).

"ESPERANTO TYPE-FACES.

"The number of printers who possess Esperanto type-faces is continually increasing, and there is now very little difficulty in getting Esperanto matter inserted in papers or magazines set up in any up-to-date composing-room. The latest addition to Esperanto type-supplies

has just been made by the French firm, Deberny et Cie. (58 rue d'Hauteville, Paris), which has a world-wide reputation for the artistic excellence of its fonts. This firm has lately given proof of its confidence in the commercial value of Esperanto by having Esperanto letters made *in all its most popular type-faces*, which it sells *at the same prices as ordinary letters*. Specimens of the various letters—in all eighty-nine different sorts and sizes—may be seen in the sumptuously got-up special catalogue issued by the firm. Printers or others interested should apply for a copy at the above address.

"From the '*Hamburger Zeitung*,' October 24th, 1908: 'Esperanto is an invention as useful as the telephone, the printing-press, the sewing-machine. . . . Other nations have outstripped us in its propaganda. It is a national duty of Germans to make up for the time they have lost.'

"'*Das Polytechnikum*,' a technical paper in Coethen, in a long article draws the attention of technicians to the advantages which would accrue to engineering from the general introduction of 'that surprisingly easily acquired language Esperanto.' Of the utmost importance nowadays is it to make the results of technical progress internationally accessible with the least possible loss of time, and to that end the writer recommends that Esperanto be introduced into all higher technical schools throughout the country, as has been done already in Dresden. The students in Charlottenburg University have already begun work in this direction, by founding in great numbers a Union, which has organized an Esperanto course in the Higher Grade Technical School."

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J. R. W.—*Q.* What information can you give me with regard to Wabasn common and preferred stock, and also the bonds?

A. Neither the common nor the preferred having much chance of a dividend for a good while to come, their purchase at the present time is something of a speculation. The Wabash system is, however, in infinitely better shape financially than it was a year ago, and is in a position to build itself up. The betterment of the investment markets has given the road a chance to sell some of its big authorized issue of refunding 4's, and that has materially improved the road's position. Of the road's bonds, the most actively dealt in, and from the standpoint of profit possibilities the most attractive, are these refunding 4 per cents. The authorization is very large, and more and more of them will no doubt be sold by the road whenever the market allows; but they are a good bond of their class at that, and, when business improves, have a good chance to increase materially in value.

A. C. L.—*Q.* Can you tell me how much coal land the Reading Company owns, and approximately the value of that land?

A. The Coal Company's anthracite fields at last reports were slightly in excess of 100,000 acres, and a conservative estimate places the unmined coal at 2¼ billion tons. To get at a valuation of this coal, 30 cents a ton to the operating company is probably a fair estimate. The possession of this vast unmined wealth is what accounts for the price at which Reading stock sells.

N. H.—*Q.* What can you say with regard to Southern Pacific common as an investment?

A. Southern Pacific common is a stock whose 5 per cent. net yield not only makes it attractive to the investor, but is a stock with great price-appreciation possibilities as well.

The buyer of Southern Pacific stock buys not only a 5-per-cent. income, but an equity in the millions upon millions of dollars which were turned back into the property between 1900 and 1906, when dividends were begun. The property is in wonderful physical condition. Its vast improvements and expenditures enable it to operate at a low ratio of cost to income, and its earnings, even during the recent depression, would have warranted the payment of a higher dividend. The road runs through a thriving, growing territory, and is in the hands of an aggressive and capable management.

J. N. W.—*Q.* I should be obliged to you for some information concerning Consolidated Gas as an investment.

A. From what it is possible to find out about the true value of the Consolidated Gas properties, it seems likely that the stock can profitably be bought and put away for investment. Opinions differ widely as to the company's actual earning power under 80-cent gas, but, looking at it from the broader standpoint, it would seem as though a property possessing the plants and franchises of the Consolidated Gas Co., in New York City, were bound to come out well in the long-run, even though it may meet with temporary reverses.

D. I. M.—*Q.* I should be pleased to have you tell me something about the Havana Tobacco Company, the company's position, prospects, etc.

A. The Havana Tobacco Company was organized seven years ago, and since then has acquired the stock of several leading tobacco manufacturers, including Henry Clay and Bock & Company. A majority of the stock of the Havana Tobacco Company is understood to be owned by the American Cigar Company, which in turn is controlled by the American Tobacco Company—the trust.

The past two years have been hard on the company, earnings for the calendar year 1907 having fallen $141,251 short of bond interest. It is believed, however, that the Company is now doing better, and in some quarters the stock is well spoken of for the long pull.

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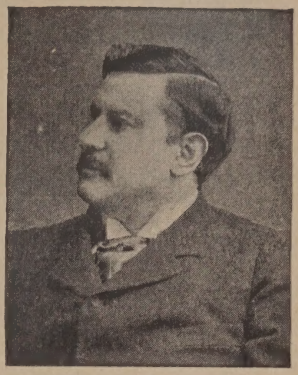

A Treatise

IN WHICH THE GROWTH OF POSITIVE LAW IS UNFOLDED BY THE HISTORICAL METHOD AND ITS ELEMENTS CLASSIFIED AND DEFINED BY THE ANALYTICAL

By HANNIS TAYLOR, LL.D. (Edin. and Dub.)

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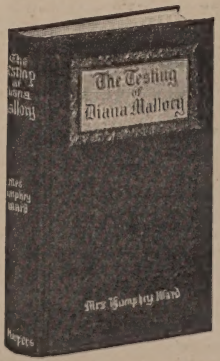

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"George Harvey has written some rather sarcastic things about women for his various publications. They are not wholly digs at men and women, but the author's love of fun is at times uncontrollable, but it must be confessed that he knows a great deal, especially about women. He has just published a volume entitled 'Women, Etc.,' the 'Etc.' referring to other topics than the female sex. These comments are extremely readable—to men. Whether women will wholly enjoy them or not is a different question. There is a lot of truth in them, but the dear creatures will probably say that these comments do not contain the whole truth and nothing but the truth. Women are a great deal better than their foibles, but it is well that the latter be dissected, lest they, being so prominent, give the idea that they stand wholly for character. In all that pertains to woman's love of dress, of good figure and pretty face, the author has hit the mark without leaving a very bitter sting. On the whole these little essays are informing, and taken as a whole they do no injustice. The author is not a Jeremiah, simply a man who is a shrewd observer and who writes entertainingly. Men will buy the book, but the most devoted readers will be the women."—*Philadelphia Inquirer.*

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"The note of the book is surpassing clearness of expression. In regard to its first subject, it is almost unique, for it neither gibes nor flatters. Regarding a few of Mr Harvey's special subjects, it is worth noting that he would give the vote to women, think-

ing that they would be less tolerant than men of a candidate's moral deficiency, which is undoubtedly true if one opine that only the Seventh and the Tenth Commandments touch on matters of morality. He thinks that women would resist monopoly if it added undue profits to the expense of general living, as if all monopolists did not advertise themselves as desirous of lowering prices. Lastly, he says that woman's keen personal interest in the preservation of power would inevitably constitute her a conservative force against the increasing horde of foreign-born voters, apparently forgetting that the wives of those same foreign-born voters will have the same political privileges as their husbands, and will, from pure thrift, be quite as well disposed to sell their votes. On the question of permitting the use of artificial beautifiers, Mr. Harvey is at one with St. Thomas Aquinas, who rules that a woman may cover a repulsive blemish with powder or paint. 'That is,' says a shrewd Jesuit translator, 'if the lady be ugly, she may paint.' Under the head of 'Etc.' widely differing topics are discussed and invariably something noteworthy is said, and well said, and the little book has permanent value."—*Boston Transcript.*

"'There's many a true word spoken in jest,' and not a few of them are to be found between the covers of these 'leaves from an editor's diary,' as the subtitle phrases it. It is hard to say whether the author, as intrepid at his desk as at the dinners which he favors with his table talk, loves more his little jokes or the ladies at whom he pokes fun so slyly. He dedicates his whimsies to 'the most excellent comrade who, through no fault of her own, happens to be a wife of ours,' and that is the keynote of his little weekday sermons on the philosophy of life. Take, for instance, his tremendously serious chapter 'On the Taxation of Spinsters,' an analogy with the taxation of bachelors, which every unmarried woman favors, and some others. Whoever has read the preface knows that the writer is merely having his little joke and would not for the world deprive any of the ladies of the cost of a single feather. In the same sly way he discusses with preposterous solemnity 'Woman's Right to Enhance Nature's Charms,' 'The Ignorance of Women in the Management of Men,' 'The Sagacious Frivolity of Widows,' and so on. Not all his talk is about women. There is an excellent chapter 'On the Proper Conduct of Funerals,' with obiter dicta about undertakers which would induce even them, or perhaps it would be better to say especially them, to crack a most unprofessional smile. The book is not all humorous. There is much true and deep feeling in appropriate places, of which the closing chapter is an example. Speaking of the inconsistency of an omnipotent and beneficent Providence with the existence of so much vice and misery, he suggests that there is true inspiration in co-operating with God against the forces of evil, instead of pleasing him by abasement, and he contrasts this with the despair attending the hateful threats of a God whom we have been taught not to love but to fear—lest we perish. Whoever has read, marked, learned, and inwardly digested these wise follies is armed and equipped for any occasion when men and women meet and the quips pass around."—*New York Times.*

"Each of the fifty essays included in this volume is well worthy of perusal. They cover a wide variety of subjects, from Socialism to kissing, and from advertising to a plea on behalf of Satan. Women and their ways, and every phase of them, are dealt with in the first twenty essays, while the remainder of the topics are included under the 'Etc.' The author's point of view is always fresh, and sometimes unconventional. An unwary reader may find himself regarding seriously conclusions conceived in a spirit of humor. Others may find humor where the author apparently meant to be serious. In either case there is no lack of interest. Written in full consciousness of American eminence in all departments of life, these papers also betray some sense of the national shortcomings. The references to England are not unduly flattering, but they are not more frank than the criticisms which pass westward from this side of the Atlantic."—*Edinburgh Scotsman.*

"The philosophy is wisdom clothed in folly's airy, brilliant garments, with plenty of gems of thought from ancient and modern authors to enhance the effect. The reader smiles and smiles at first at the humor and the irony, the sarcasm and the satire, and immensely relishes the entertainment, but he soon makes the discovery that there is method in this mellow humor; that the best wit bears the test of truth, and that in all the fun there is really a grave, clean common-sense that reaches deeper into the heart and intellect and stays longer than any mere dull preaching could do. We laugh, but we heed, and the aftermath thought of the book is of an inspiring, even though jolly, companion whose philosophy is of everyday, permanent value. As for Colonel Harvey's 'Women,' though he mischievously uses his shrewd insight to show forth their peculiar foibles, yet he cannot help getting in some words of praise, too; so women readers may be assured 'his bark is worse than his bite.'"—*Brooklyn Standard-Union.*

"Alack, the wanton cruelty of this male collector of paragraphic specimens, who captures us like so many butterflies in a mesh of clever phrases; with adjective tools clips our pretty, foolish, decorative wings; pinions our fluttering sheath-bound bodies while it pleases him to puncture our silliest or most serious peculiarities; classifies us with the cool discrimination of a scientist contemplating a curious winged bug, and then—what? Why, my dears, he deliberately transfers us to his book of specimen essays on 'Women' with that collective paw of his which, while it imprisons, does not crush us—for purely preservative reasons! Atrocious, but how much worse a fate might have befallen us than to be laid on the musty shelf of time by a hand which, while it thumbed us—aye, sometimes thumped us—yet handled us with a strangely illogical tenderness the while, for all its gloveless daring. Artistry covers a multitude of sins, anyway. We women can even find it in our damaged hearts to forgive him who swats us when he should love, honor and obey us; provided that he wounds with epidemic sword-thrusts that merely prick our surface pride, refraining from stupid, brutish wife-beating—I meant to say word-beating—about our bush. A bear may not speak the bird language, but the bird chirps for a' that and a' that, and the other birds—well, if the bears only knew what they twitter about him! That this particular bear has growled at us from the editorial cage is not so alarming. He is really a very tame, playful and affectionate bear upon acquaintance, fiercely as he glowers our way at intervals. It appeals to our logic, if not to our sentiment, to deal magnanimously with one who caresses us while he condemns. We shall even buy his book, despite its readable unreason, and send it to one another as holiday gifts. Mr. Harvey has said that we are niggardly in small things. Pouf! We shall help this little book of his to a place among the best sellers.'—LILLIAN FERGUSON, in *San Francisco Examiner.*

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EDITED BY GEORGE HARVEY

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